

83RD GENERAL ASSEMBLY

REGULAR SESSION

JUNE 20, 1984

PRESIDENT:

The Senate will come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend Stanley Milewski, Sacred Heart Church, Springfield, Illinois. Father.

REVEREND MILEWSKI:

(Prayer given by Reverend Milewski)

PRESIDENT:

Thank you, Father. Reading of the Journal.

SECRETARY:

Tuesday, June the 12th, 1984.

PRESIDENT:

Senator Johns.

SENATOR JOHNS:

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 Johns. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Johns.

SENATOR JOHNS:

Mr. President, I move that reading and approval of the Journals of Wednesday, June the 13th; Thursday, June the 14th; Monday, June the 18th and Tuesday, June the 19th, in the year 1984, be postponed pending arrival of the printed Journal.

PRESIDENT:

You've heard the motion as placed by Senator Johns. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. 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 concurred with the Senate in the passage of a bill with the following title.

Senate Bill 1217 together with House Amendments 1, 3, 4, 6, 7 and 8.

And I have like Messages on the following Senate bills:

Senate Bill 1602 with House Amendment 2.

Senate Bill 1911 with House Amendment 1.

Senate Bill 1945 with House Amendments 1 and 2.

Senate Bill 1950 with House Amendments 2 and 3.

PRESIDENT:

Secretary's Desk. Resolutions.

SECRETARY:

Senate Resolution 686, by Senator Grotberg. It's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 687, by Senator Jerome Joyce.

PRESIDENT:

Executive.

SECRETARY:

Senate Joint Resolution 124, by Senators Marovitz, Rock and Lechowicz and it's a death resolution.

PRESIDENT:

Consent Calendar. If I can have the attention of the membership, we will begin on the Order of Recalls. The recall list has been distributed. After the recalls we will go then to House bills on 2nd, and once finishing that, we'll begin where we left off yesterday on page 10 on House bills 3rd with Senator Etheredge's 2832. What...I think what we'll have to do, we'll have to make up a second recall list. All right. With leave of the Body, we'll move to the recall list

*HB 2381
Revised*

on the Order of House Bills 3rd Reading. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Thank you, Mr. President. I'd like to have leave of the Body to be shown as hyphenated sponsor on House Bill 2658.

PRESIDENT:

2-6-5-8. The gentleman seeks leave to be shown as a hyphenated cosponsor. Is leave granted? Leave is granted. Senator...page 4 on the Calendar, on the Order of House Bills 3rd Reading is House Bill 2211, Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Can I...I'm still sorting out some amendments, can I have leave to come back to that?

PRESIDENT:

The gentleman asks leave to get back to it. Is leave granted? Leave is granted. 2381, Senator Vadalabene. Do you wish to return that bill to the Order of 2nd? I understand, it's your bill, if you don't wish to call it back you don't have to. Okay. All right. On the Order of House Bills 3rd Reading is House Bill 2381. Senator Vadalabene seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2381. Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Weaver.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This amendment would state that on line 23 the following, "That no such charge shall be imposed directly on any municipality or fire protection district unless provided for in a separate franchise agreement." This amendment is trying to get at the rapidly escalating

H. B. 2475
Recalled

cost of fire hydrant rentals for municipalities in fire protection districts, and with this language, then it would be put into their franchise and negotiable. I would move adoption.

PRESIDENT:

All right. Senator Weaver has moved the adoption of Amendment No. 1 to House Bill 2381. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Middle of page 5 is House Bill 2475. Senator Vadalabene seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2475. Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Vadalabene.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 1 to House Bill 2787 does the following. All interest that accrues from monies deposited in the Wildlife and Fish Fund, the Salmon Fund and the State Migratory Waterfowl Stamp Fund shall be deposited in those funds respectively, and I move for its adoption.

PRESIDENT:

Senator Vadalabene has moved the adoption of Amendment No. 1 to House Bill 2475. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2509, Senator Demuzio. On the Order of House Bills 3rd Reading is House Bill 2509. Senator Demuzio seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd, House Bill 2509. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, Mr. President. This is the Attorney General's bill that adds senior citizens to respective boards and commissions, and what Amendment No...1 attempts to do is to take out the Illinois Health Finance Authority. Two amendments.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Amendment No. 2 to House Bill 2509. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right, NBC News has requested leave to film up in the gallery. Is leave granted? Leave is granted. Senator Bloom on the Floor? 2574, Senator Bruce. Top of page 6, on the Order of House Bills 3rd Reading is House Bill 2574. Senator Bruce seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2574. Mr. Secretary.

SECRETARY:

HB 2556
Recalled

Amendment No. 1 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, Mr. President, last year...we increased the bond authorization for the Illinois Farm Development Authority by a hundred million dollars, fifty million for agribusiness and fifty million for individual...farmers. The Illinois Farm Development Authority has found...it experienced this year that they are only utilizing about nine to twelve million dollars of their agribusiness bond authorization and therefore...and the individual farming request had been much greater. So what this seeks to do, it does not change the overall bond authorization that they can issue, but it does, in fact, change the category in reducing the fifty million dollars for agribusiness to approximately...to twenty million, allowing thirty million dollars of additional bond authorization to go for individual farm loans. That is all that it does and I would ask for its...the adoption of Amendment No. 1.

PRESIDENT:

Senator Demuzio has moved the adoption of Amendment No. 1 to House Bill 2574. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2556, top of page 6. Senator Bloom seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2556, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Smith.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. The amendment that I have, Amendment No. 1, is...requires a truant officer to regular report to the court when an order of disposition requires the minor child to attend school or training and the minor child is a habitual truant. I'd like to ask the support of the Body for this.

PRESIDENT:

Senator Smith has moved the adoption of Amendment No. 2 to House Bill 2556. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2692, Senator Rigney. On the bottom of page 8, Senator Rigney seeks leave of the Body to return House Bill 2692 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2692, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Rigney.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Mr. President, House Bill 2692 is a land conveyance bill and apparently this bill became about the only vehicle that was available in the Senate for that kind of activity. As a result of that, we now have a couple of additional amendments that we will attempt to put on. The first of these is for a

cemetery association in Kendall County. It transfers four and nine-tenths acres of land that adjoins the cemetery in that area. The amendment now clearly points out that this land must be used for cemetery purposes or there will be a reverter clause that would give it back to the State Department of Conservation. And that being the consideration then, the...the price would be for the sum of one dollar.

PRESIDENT:

All right. Senator Rigney has moved the adoption of Amendment No. 2 to House Bill 2692. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Jerome Joyce and...Senator Rigney.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

This time it involves the City of Kankakee and apparently what they hope to do is to lease a dam at the City of Kankakee for the purposes of the development of hydropower there for the city. Any revenue that is derived for this as a result of negotiation between the city and the Department of Conservation will be placed in the State Parks Fund. My staff tells me that this amendment is identical to one that we passed last year for Senator Schuneman down in Sterling. So, same procedure.

PRESIDENT:

All right. Senator Rigney has moved the adoption of Amendment No. 3 to House Bill 2692. Discussion? Senator Grotberg.

SENATOR GROTBEBG:

Thank you, Mr. President. I realize I could turn to my neighbor and ask him but the Kankakee Senator is probably

here. I would like to ask him a question. He's not here?

PRESIDENT:

He...he, I think, is in another meeting.

SENATOR GROTBBERG:

Then, Senator Rigney, for the record, are we taking over a dam?

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Senator Grotberg, we're giving one. Giving use of this for a period up to sixty years. The...yes, it's now conservation owned and would go to the City of Kankakee.

PRESIDENT:

All right. Any further discussion? Further discussion? If not, Senator Rigney has moved the adoption of Amendment No. 3 to House Bill 2692. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Bottom of page 8, Senator Smith, 2714. On the Order of House Bills 3rd Reading is House Bill 2714. Senator Smith seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2714. Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Smith.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Amendment No. 1 on House Bill 2714 merely put the Illinois in

HB 2732
Recalled

conformity with the Federal Government. The Federal holiday commences...Doctor Martin Luther King's Birthday. Without them...this amendment, we would not...Illinois would not be in conformity with our National Government, and so we're asking that...January 1, 1986 would be the effective date. Our school boards and other entities would be able to be in conformity and accommodate their calendar for the change. I move for the adoption of this amendment.

PRESIDENT:

Senator Smith has moved the adoption of Amendment No. 1 to House Bill 2714. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 9, Senator Lemke. On the Order of House Bills 3rd Reading is House Bill 2732. Senator Lemke seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd, House Bill 2732. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

We have to Table Committee Amendment No. 1.

PRESIDENT:

All right. Senator Lemke, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 to House Bill 2732 has been adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Lemke

now moves to Table Amendment No. 1 to House Bill 2732. Any discussion? All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The amendment is Tabled. Further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this...the amendment does is creates the Civic Center Authorities for DuPage County, Sterling, Elgin, Orland Park, Center East, Schaumburg, Quad Cities, Collinsville, Pekin. It amends the existing...civic centers and...it includes the O'Hare Expo. Center as eligible for funding. I think it's a good amendment. I ask for its adoption.

PRESIDENT:

Senator Lemke has moved the adoption of Amendment No. 2 to House Bill 2732. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this amendment does is creates the River Forest Civic Center Authority and amends the Metropolitan Civic Center Support Act to have asset evaluations to increase the bonds from seventy-five million to a hundred and twenty-five million. It also changes the Mount Vernon Civic Center Authority to the Jefferson County Authority and to include all Jefferson County in the territory of the Authority. I think it's a good amendment. I ask for its adoption.

PRESIDENT:

Senator Lemke has moved the adoption of Amendment No. 3 to House Bill 2732. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is...I beg your pardon, Senator Zito.

SENATOR ZITO:

Question of...question of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates he'll yield. Senator Zito.

SENATOR ZITO:

Senator Lemke, it was my understanding, since that's part of my district, that some of the residents were not completely happy with that amendment. Can you tell me where that...where that amendment originated?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

That was House Bill 2347.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Well, it would be my feeling at this time that maybe the bill should have stood on its own merit rather than be lumped in...in additional things. And I was wondering if you'd be willing to at least take that out of the record. Is the House bill still alive?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Well, it's my position, Senator Zito is that...and it's been the position of me always since we had some problems before in civic centers that all civic centers should be in one bill, and you either vote up and down and...on those civic centers. Those people that want civic centers should get them, and if we choose not to give them a civic center,

then we choose not to give someone else a civic center. So it's all a matter of putting everything together in a package and saying, this is it, take it or leave it.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

My question is, Senator, I...I appreciate you trying to accommodate the membership, but since this is a separate House bill I think we should...let it stand on its own merit. The House bill is still alive and I...it is a controversial amendment. Would you be willing to do that?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

This is not just the River Forest...Civic Center...wait...this also deals with the Mount Vernon Civic Center and also deals with the bonding authority.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

To my knowledge, Senator, the...the...Village of River Forest does not have a complex. Is this to create a new complex? And if so, is the other part of the amendment for Collinsville, did you say?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I understand that Representative Leverenz...it's...Representative Leverenz' bill, and he...he says they want a civic center in River Forest.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Just for the record, Mr. President, I...I'm opposed to

this amendment and opposed to it on two principles. Number one, there...there...it's a controversial amendment, some of the people in that community want it, others don't. They do not have one created and to allow an amendment that's already in a separate House bill, I think, would be redundant at this point and I stand opposed to...to the amendment.

PRESIDENT:

All right. Senator Lemke has moved the adoption of Amendment No. 3 to House Bill 2732. Any further discussion? If not, all in favor of the amendment indicate by saying Aye. All opposed. We better have a roll call. The question is the adoption of Amendment No. 3 on House Bill 2732. Those in favor of the amendment 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, there are 9 Ayes and 24 Nays and 1 voting Present. Amendment No. 3 fails. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, Amendment No. 4 is a technical amendment. It redefines the boundaries of the DuPage Civic Center Authority so that it does not overlap with the existing Aurora Civic Center Authority.

PRESIDENT:

Senator Etheredge has moved the adoption of Amendment No. 4 to House Bill 2732. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

HB 2800
Revised

PRESIDENT:

3rd reading. Bottom of page 9, Senator Vadalabene on 2787. On the Order of House Bills 3rd Reading, the bottom of page 9, is House Bill 2787. Senator Vadalabene seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2787. Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Vadalabene.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Amendment No. 1 to House Bill 2787 reads that all interests that accrues from monies deposited in the Wild Life and Fish Fund, the Salmon Fund and the State Migratory Water Fowl Stamp Fund shall be deposited in those funds respectively. And I move for its adoption.

PRESIDENT:

Senator Vadalabene has moved the adoption of Amendment No. 1 to House Bill 2787. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. House Bill 2800. All right. Senator Chew wishes leave of the Body to return House Bill 2800 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading, House Bill 2800, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate.
Amendment...Amendment No.1 to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones, just a moment. Could we have some order,
please. All right. Senator Jones.

SENATOR JONES:

...yeah, thank you, Mr. President...Amendment No. 1 to
Senate Bill 2800 amends the bill and will provide that no
police powers or no municipality in the State of Illinois
would require their peace officers to...to be issued quotas
in writing citation for traffic violations. This amendment
is similar to...it is identical to the bill that passed the
House and got bottled up in our Rules Committee. The purpose
of the amendment and reason why I'm offering it to this par-
ticular piece of legislation is that numerous police powers
throughout the State of Illinois have been issued by their
superior orders...orders that they must write a certain
number of citation either per week, per day or per month.
And in doing so, many motorists are given tickets where, in
fact, they should not have been issued these citations
because this police officer, or peace officer was trying to
fill his quota. We, as legislators, in here know all about
this, it was testified to in the Transportation Committee
when I questioned the...the representative from the Depart-
ment of Law Enforcement about the quota system in issuing
citations. And in his testimony he indicated that they
didn't do it, but also he indicated later in testimony that
if this amendment goes on then the State of Illinois will
lose millions of dollars. So in that contradictory testi-
mony, in one breath he said they didn't issue it and in

another breath he said they...that they do issue the order. Quota system for police officers in carrying out their duties is not necessary. Why should one be required to have to write a certain number of tickets in order for them to perform their duties. And one of your constituents may be coming home at nine, ten or eleven o'clock in the evening and the police officer may not have with him...may not have his quota for the week or month, and that unsuspecting motorist will become the victim and especially with this piece of legislation, and he may not have his seat belt on. So I ask for support of Amendment No. 1 to House Bill 2800.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones has moves the...moved the adoption of Amendment No. 1 to House Bill 2800. Is there any discussion? Senator Chew...have some order, please.

SENATOR CHEW:

Mr. President and Ladies and Gentlemen of the Senate, I promised Senator Jones that I would bring this bill back for his amendment. In the beginning when we had the bill on 2nd reading and it was called, the distinguished Senator was not on the Floor and he asked me to bring it back, which I did. First of all, statutorily, you cannot prevent a law that is really not a law. There is no law on the Statute Books of the State of Illinois and no ordinance in any city of the State of Illinois that has a quota system as a guideline. I don't question the assumption of the distinguished Senator from the 17th District, but it's impossible to deal with it. Now I'm going to ask at this point whether this amendment is germane to House Bill 2800. I'd ask for a ruling of the Chair.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Chew, we'll get back to you just briefly, in a few moments. There are several other speakers who wish to speak on the issue. And with leave of the Body, we'll

come back to you with a ruling. Senator Chew. & SENATOR CHEW:

On the amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

On the amendment, on the germaneness. All right. Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you. Mr. President, I rise in strong opposition to this amendment. There's no question that every law enforcement officer in this State is doing his job when he issues citations for violation of the law that he thinks are violations of the law. There is no way for any superintendent of police to determine if a policeman is doing his job on the streets if he doesn't issue a certain number of citations. If he sits around all day in his car and lets speeders go by or if he sits around and doesn't ticket parkers that need to be ticketed, there's no way for the authority of the police department to determine if that policeman is doing his job. The truth is that he must issue citations as an effective management tool in order to be graded on his efficiency as a policeman. This is a terrible amendment and it's devastating for every city in the City of Chicago, and I ask you not to vote for this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in strong opposition to Amendment No. 1 and would point out that the amendment is, in fact, identical to House Bill 2440, which in its...the form in which it came over from the House it was a new Act. So, I think it only corroborates what Senator Chew was questioning; namely, the germaneness. This...aside from being bad on the merits, this amendment simply doesn't fit in House Bill 2800 and I would

strongly oppose it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Chew, the Chair is prepared to rule on the germaneness even though there are two additional speakers who have wished to speak on the issue. The ruling is that the amendment is not germane as it will violate the single-subject provision of Article IV, Section 8-D of the Illinois Constitution. Therefore, it is the ruling of the Chair it is not germane. Senator Chew.

SENATOR CHEW:

Respectfully ask that the Chair would move this bill to 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2805, Senator Welch seeks leave of the Body to return House Bill 2805 from the Order of 3rd Reading to 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading, House Bill 2805, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is an amendment to clarify an amendment that was put on this bill in the House by Representative Ewing. The purpose of the amendment is to make clear the...the statement as to the election of a parent for the agreement for the valuation of property. And what this amendment clarifies is the intent of the bill which is to hold a legal guardian to the same standard as a parent is

held to in acting on behalf of a child.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch moves the adoption of Amendment No. 1 to House Bill 2805. Is there any discussion? Any discussion? If not, the question is, shall...on the adoption of Amendment No. 1. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2, by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This amendment will amend four different Acts; the Use Tax, the Service Use Tax Act, the Service Occupation Tax Act and the Retailers Occupation Tax Act. What it does is it states that the rolling stock exemption applies to rolling stock use by an interstate carrier for hire even between points in Illinois if such rolling stock transports for hire persons or property originating or terminating outside of Illinois. This amendment codifies a...a court case and what it also does is it is supported by the administration, by the Department of Revenue, by the Farm Bureau and the Taxpayer Federation of Illinois who drafted the amendment itself. I would move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch moves the adoption of Amendment No. 2 to House Bill 2805. Is there any discussion? Any discussion? If not, the question is, shall...on the adoption of Amendment No. 2. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

*MS 2887
Received*

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2887. Senator Nedza seeks leave of the Body to return House Bill 2887 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading, House Bill 2887, Mr. Secretary. Read the bill.

SECRETARY:

Amendment No. 2 offered by Senator Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr...thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza. Can we have some order, please, and clear the middle aisle in...in front of Senator...Nedza. All right. Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2, I would first have to ask to...having voted on the prevailing side, to reconsider the vote by which Amendment No. 1 was adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Nedza, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is reconsidered. Senator Nedza now moves to Table Amendment No. 1 to House Bill 2887. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Any further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendments are identical with the exception of changing two words. The special fund that was to be set up in the original amendment was to be set up by the recorder of the county. That was found to be unconstitutional and in lieu of the recorder of the county the special fund shall be set up by the treasurer of the county and that's the only substantive change in the amendment and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza moves the adoption of Amendment No. 2 to House Bill 2887. Any discussion? Any discussion? If not, 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 2987, Senator Bruce. 2987. Senator Bruce seeks leave of the Body to return House Bill 2987 to the Order of 2nd Reading for the purpose of an amendment. Is leave...granted? Leave is granted. On the Order of 2nd Reading, House Bill 2987, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Holmberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

This amendment changes the definition of an Illinois public television station to include WPTI in Bockford. It's the only station in the United States that follows FCC guidelines and practices and is not included in the definition, and it would make them eligible for grants if and when they

should occur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg moves the adoption of Amendment No. 2 to House Bill 2987. Any discussion? If not, 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 3031, Senator Smith, seeks...Senator Smith, Senator Buzbee is not on the floor at the moment. With leave of the Body, we'll return to House Bill 3031 in...a few minutes. Is leave granted? Leave is granted. We'll return to it. House Bill 3059, Senator Darrow. Senator Darrow seeks leave of the Body to return House Bill 3059 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading, House Bill 3059, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Darrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. House Bill 3059 pertains to the refinancing of some revenue bonds for the municipal airport in my area. It amends the Municipal Airport Authority Act. What this amendment does is protect the bondholders. It's technical in nature. If anyone wants a more complete explanation, I'll be glad to go into detail, but it is technical in nature.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Darrow moves the adoption of Amendment No. 1 to House Bill 3059. Is there any discussion? Any discussion? If not, those in favor signify by saying Aye.

HB 3031
Recalled

Opposed Nay. The Ayes have it. Amendment No. 1 is adopted.
Any further amendments?

SECRETARY:

Amendment No. 2, by Senator Darrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Again, this is another technical amendment, it's...pertains to revenue bonds for the Municipal Airport Authority Act. I'll be glad to...explain it in detail if any member wishes. I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow moves the adoption of Amendment No. 2 to House Bill 3059. Is there any discussion? If not, 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. With leave of the Body we'll return to 3031. Senator Smith seeks...with leave...is leave granted? Leave is granted. On the...House Bill 3031, Senator Smith seeks leave of the Body to return House Bill 3031 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading, House Bill 3031, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Buzbee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This makes procedural changes relating to the Advisory Committee on Block Grants, related to the review of Block Grant plans and purposed transfer of

AB 3123
Recalled

funds. It contains several different points that the Advisory Committee wish to be implemented into the Statutes. We had unanimous consent from both sides of the aisle, public and private members of the Advisory Committee, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee moves the adoption of Amendment No. 1 to House Bill 3031. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3123, Senator Sangmeister. Senator Sangmeister seeks leave of the Body to return House Bill 3123 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading, House Bill 3123, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. This is the adoption registry bill and we worked with...this past week with Catholic Charities and with the Lutheran...Lutheran Social Services and with the Cradle Agency and all people that are involved in this, and I think we've now got it all worked out. I can go into detail as to what the amendment would be but I would suggest we put on the amendment, move it to 3rd and we'll have a full discussion at that time. So I'd move for the adoption of Amendment No. 2 to House Bill 3123.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister moves the adoption of Amendment No. 2

HS 3128
Recalled

to House Bill 3123. Is there any discussion? If not, 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 3128, Senator Philip. Senator Philip on the Floor? Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

Well, I'm handling the amendment, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we'll be glad to let you do that as soon as we have permission of the sponsor to return it. House Bill 3128, Senator Philip seeks leave of the Body to return that bill, House Bill 3128, to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading, House Bill 3128, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this is a small amendment to the commission package which would direct the Legislative Reference Bureau...consistent with the overall scheme of the reform bill, direct the Legislative Reference Bureau to supervise the participation of Illinois' delegation to the National Conference of Commissioners on Uniform State Laws. My concern was that there be continuity in the...in the membership of the Illinois delegation since a number of the members, including three law professors, have served for a number of years have put in a great deal of time and have

HB 2211
Recalled

useful expertise which I think it would...would be a great tragedy if...if it was lost and that's the purpose of this amendment. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen moves the adoption of Amendment No. 2 to House Bill 3128. Any discussion? If not, 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. All right. With leave of the Body, we'll return to the very top of the recall page on House Bill 2211. Is leave granted? Leave is granted. House Bill 2211. Senator Degnan seeks leave of the Body to return House Bill 2211 to the Order of 2nd Reading for the purpose of...of an amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading, House Bill 2211. Mr. Secretary.

SECRETARY:

Amendment...excuse me...Amendment No. 2 offered by Senator Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I think I would first, having voted on the prevailing side on Amendment No. 1, ask leave that it be reconsidered.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Degnan, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 to House Bill 2211 was adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Degnan now moves to Table Amendment

HB 2211
DA# 3

No. 1 to House Bill 2211. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is Tabled. Any further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 2 now becomes what Amendment No. 1 was to be, a technical cleanup and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan moves the adoption of Amendment No. 2 to House Bill 2211. Is there any discussion? Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Will you please check to make sure we've got the right amendment, Al. Okay, thank you. This amendment just clarifies Secretary of State's ability to give military license plates, there are no fee reductions or anything like that. It sets up a system to do it. It's an agreed amendment and I'd appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Keats moves the adoption of Amendment No. 3 to House Bill 2211. Is there any discussion? Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. This amendment addresses a problem that has arisen in park districts downstate and that is that they are unable to enforce the Vehicle Code due to the way the special definitions of streets or highways and local authorities are presently contained in Chapters 11, 12 and 15. What it does, it requires the enactment of a local ordinance prior to enforcement of the Vehicle Code on both private streets and roads and provides that where a local authority has adopted such an ordinance; i. e., a park district, those roads shall be considered highways for the purpose of enforcing the Vehicle Code. I will answer any questions, otherwise seek its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom moves the adoption of Amendment No. 4 to House Bill 2211. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Coffey.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Coffey seeks leave to withdraw Amendment No. 5. The amendment is withdrawn. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. With leave of the Body, we will go to resolutions. Leave granted? Leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 125 offered by Senator Demuzio and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Ladies and Gentlemen, if we could have some order, please. We have some very special guests with us this...this afternoon. Senate Joint Resolution 125...I would like, with leave of the Body, to read the resolution. Is leave granted? Leave is granted.

(Senator Demuzio reads SJR 125)

Margaret, congratulations.

MARGARET HILL:

(Remarks given by Margaret Hill)

MR. HILL:

(Remarks given by Mr. Hill)

FATHER HILL:

(Remarks given by Father Hill)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. It is my distinct honor to move to suspend the rules for the immediate consideration and adoption of this very fitting resolution and I so move.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock moves to suspend the rules for the immediate adoption...consideration and adoption of Senate Joint Resolution 125. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Joint Resolution 125. Those in favor signify by saying Aye. Opposed

HB 598
2nd Reading

May. The Ayes have it. Senate Joint Resolution 125 is adopted. Thank you, very much.

PRESIDENT:

Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I ask leave of the Body to be listed as a principal cosponsor with Senator Carroll on all his bills. Due to his back ailments, he may not be with us today. I know he has a bill on 2nd reading he asked me to handle and also the appropriation matters on 3rd reading as well.

PRESIDENT:

All right. The gentleman seeks leave to be shown as the hyphenated cosponsor with Senator Carroll in the event that Senator Carroll is unable to be with us. Is leave granted? Leave is granted. It's so ordered. We'll move now to the Order of House Bills 2nd Reading. There are a number of other amendments that have been filed. I've asked the Secretary to prepare another recall list and we will get to it late today before we shut down. We'll go now...Senator Weaver, for what purpose do you arise, sir?

SENATOR WEAVER:

Thank you, Mr. President. I'd just like to announce that Senator Grotberg's wife Jean is with us here today, probably for maybe her last visit to this great august Body.

PRESIDENT:

Mrs. Grotberg, welcome. On the Order of House Bills 2nd Reading, page 18 on the Calendar. 598, Senator Newhouse. Do you wish the bill advanced? On the Order of House Bills 2nd Reading is House Bill 598. Read the bill, Mr. Secretary.

SECRETARY:

...House Bill 598.

(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 Senators Newhouse and Schaffer.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. This the Public Aid equalization bill. This amendment provides that the percentage of standards to be paid under the aid program and the general assistance program may vary in amounts. It requires the department to determine a need and a grant amount for home energy assistance under a separate criteria. It mandates that the home energy assistance grants shall not be used in determining the need or payment levels under the Public Aid Code. I move its adoption.

PRESIDENT:

Senator Newhouse has moved the adoption of Amendment No. 1 to House Bill 598. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments.

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1348, Senator Bruce. 1427, Senator Darrow. On the Order of House Bills 2nd Reading, the top of page 19, is House Bill 1427. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1427.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Darrow on Committee Amendment No. 1.

SENATOR DARROW:

Thank you, Mr. President. Oh, Committee Amendment No. 1 is the amendment...first of all this bill...1427 came over from the House, I...to be truthful about it, I needed a vehicle. Last year what we did, we passed legislation that allowed counties with ten percent or more unemployment to establish a four-payment real estate tax program. However, in doing that, we failed to change the date that...that establishes the delinquent tax...taxes, that's coming due October 1st and our last payment is November 1st. What this bill does is make the technical changes for counties such as might have gone to this system so that the date is changed to December 1st. It's technical in nature, it's clean-up legislation. I'd ask for the adoption of the amendment.

PRESIDENT:

All right. Senator Darrow has moved the adoption of Committee Amendment No. 1 to House Bill 1427. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Darrow.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

This amendment is on behalf of the...Illinois Association of Park Districts. What it does, it clarifies the language. 1975, there was a change in the Statute that...that muddied up the waters a little bit, and there is some question

whether park districts that lease golf courses, concession stands and things of that nature can still claim tax exemption for these facilities. This clarifies that language and it's...as I said, on behalf of the park districts.

PRESIDENT:

Senator Darrow has moved the adoption of Amendment No. 2 to House Bill 1427. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1448, Senator...Senator Bruce, do you want to go back to yours? On the Order...bottom of page 18, on the Order of House Bills 2nd Reading is House Bill 1348. Read the bill, Mr. Secretary.

SECRETARY:

House...excuse me...House Bill 1348.

(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 Bruce and Vadalabene...Senators Bruce and...Senator Vadalabene.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

I don't...is Senator Vadalabene on the Floor? Yes.

PRESIDENT:

He is.

SENATOR BRUCE:

This amendment was an amendment that was precipitated by the Supreme Court of the State of Illinois in a Tri-America

case which dealt with sales tax and resale certificates and solves a problem. We met...Senator Etheredge has been involved with it and a great number of people. I think it's fair to say that the amendment in its present form is maybe not exactly where we want to go, but we will put this on today and move the bill forward and I'm sure we'll bring it back for changes as we...as they develop. And I would move the adoption of Amendment No. 1.

PRESIDENT:

Senator Bruce has moved the adoption of Amendment No. 1 to House Bill 1348. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Savickas. Senator Marovitz, can you take your conference...on the Order of House Bills 2nd Reading, top of page 19, is House Bill 1448. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1448.

(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 Buzbee.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This amendment would have the effect of placing the county sheriffs' salaries across the State at two-thirds of what the state's attorney salary is

in any particular county. It excludes the Sheriff of Cook County since that's a home rule county and his salary is set there. And it deals just with downstate sheriffs and, as I said, would set their salary at two-thirds of what the state's attorney in that respective county would...would be making. And I would move its adoption.

PRESIDENT:

Senator Buzbee has moved the adoption of Amendment No. 1 to House Bill 1448. Discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask a question.

PRESIDENT:

Sponsor indicates he'll yield, Senator Watson.

SENATOR WATSON:

Does this raise the minimum? Isn't...don't we have now a minimum of which we pay sheriffs? Are we raising the minimum and it would still be up to the counties as to what they're going to pay or how is that going to work out?

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

It...under the present Statute, minimums are set. This...the effect of this...amendment would be that it would set the salary at a specific level for the sheriff in the county according to the population of the county. And I can give you...I can give you the...the exact amount if, you know, for your county.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

...is there a possibility we're going to have a salary decrease in some...in a county?

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

No.

PRESIDENT:

Further discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Mr...sponsor, would you give me the exact figure for Macon County?...was available.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

If you'll give me the population, Senator, of Macon County, approximately. I assume that's sixty to a hundred thousand, is that...

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

No, it's the next level, Senator Buzbee. Sixteen five now I think is the base.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

No, I'm sorry, I was speaking of the population. Is the population over one hundred thousand in Macon County? Okay, it's over one hundred thousand. The sheriff's salary would now go to forty-three thousand dollars.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Now what you're saying then is that it's sixteen five now and it goes to forty-three. That's a...a what, a twenty-six thousand five hundred dollar increase? That's what it amounts to, I have those figures. I thought...I wanted you to verify what I had. My other counties, it ranges from seventeen thousand to twenty-two thousand to twenty-six thou-

sand five hundred dollar a year raise.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

You're correct.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

First of all, I'm not sure what the Sheriff of Macon County's salary is. I know what the minimum is set in the Statute and you're correct on that...but it's very...very possible that he's making, and I...in fact, I would suspect that he does make considerably more than that sixteen thousand.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

But...but, however, Senator, the figures are correct as to what is going to be changed under the law. Under the law that's a sixteen-five minimum and now you're saying that the minimum is going to be forty-three thousand. You are increasing the minimum for Macon County by twenty-six thousand five hundred dollars. Is that correct?

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Well,...I guess it's according how you want to look at it, Senator. I don't think that is correct because I'm sure the Sheriff of Macon County makes more money than that now. In the Statute it says that...in the Statute itsays the minimum will be sixteen thousand five hundred dollars, so I'm not increasing his salary by...twenty-seven thousand dollars because he's making more than that now. I am increasing the minimum by twenty-seven thousand dollars, that's correct.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Thank you. That's what I asked. I say...I used the word "minimum." And you're asking us and I don't think it's quite fair for you to do that, to ask us to grant an increase of that size in any minimum pay levels. My district, fine, they're very fine men, very...very capable and they do a job. We have a particularly fine man in Macon County. But for me to vote to grant him a twenty-six thousand dollar possible increase in that office salary, I think it's a little bit unfair to be asked to do that.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT:

Sponsor indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

Would you tell me who's going to pay this? Is this covered by the State Mandate's Act or is this exempt and we're going to dump it on the county board?

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

The...the amendment does not address the Mandates Act. Under current law, sheriff's salaries come completely out of county funds.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

If we mandate that we...they must increase it, doesn't that automatically then fall under the State Mandate's Act

which would mean that the State would end up paying for it?
And if so, how much are we talking about?

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

...Senator Fawell, I was checking with counsel over here as to the proper answer to your question, and I'm sorry, I cannot give you an answer to your question, 'cause my...my...my attorney doesn't know.

PRESIDENT:

Further discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. To speak to this amendment, maybe I feel differently than the past speaker, but I think if...if we in the Legislature...we passed a Mandate's Act here a few years ago, and if we're going to mandate salary increases or if we're going to lift the floors in those counties forcing them to pay additional dollars, I think we ought to pay for it. And I'm going to reserve my support on this legislation based upon who's going to pay for this increase. The county boards in my district that I've talked to are having a difficult time of...of making their budgets go now and we're about, it sounds to me like, to pass a bill to go around the Mandate's Act, force the counties to raise those salaries without being able to know where the money is going to come from. Now if we want to pass legislation here to raise those floors, we ought to come up with the money to pay those increases; otherwise, I don't think we ought to be messing around with county board affairs because they have too many problems now finding revenues to...to pay their bills.

PRESIDENT:

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

SENATOR BUZBEE:

Yes, thank you, Mr. President. Senator Fawell, I do have an answer to your question now. In the bill itself, not in my amendment but in the bill itself, it exempts the State from the State Mandate's Act. It says that "No reimbursement by the State shall be required by the implementation of any mandate created by this Amendatory Act of 1984." So, in this situation, the county would obviously pay the entire cost of the sheriff's salary. I...in my closing comments...I don't know about a lot of you but the sheriffs in my area are people who work extremely hard. They are...their compensation is very low. They're obviously on call twenty-four hours a day, seven days a week. They are in...again, in my area, most of them are professional police officers. They're not some good old boy that...that happens to be popular in the county and so therefore he gets elected sheriff. They are, in fact, people who are professional policemen, have been for years in most cases and they do a good job. They deal with the public that...the public that a lot of times you and I would not want to deal with. And I think that they deserve these kinds of minimum salaries, and that's why I was happy to offer the amendment in their behalf and I would ask for its adoption.

PRESIDENT:

All right. Senator Buzbee has moved the adoption of Amendment No. 1 to House Bill 1448. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Degnan, 1563. On the Order of House Bills 2nd Reading, top of page 19, is House Bill 1563. Read the bill, Mr. Secretary.

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END OF REEL

REEL #2

SECRETARY:

House Bill 1563.

(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 Savickas.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Amendment No. 1 to House Bill 1563 is the amendment that would impose a twenty-five percent...twenty-five cent special gains fee on each lottery ticket or share, and the revenues from this fee would be placed in a new local school fund to be distributed to the educational service regions by lottery revenue source. Revenues allocated to the regions would be distributed among school districts in the region by population. The purpose of this amendment and the purpose of this new fee would be to supplement our ailing education finance system. The monies collected from this fee would be distributed, as I said, through the educational service region. It's a new concept, it's a...that should be discussed, and it is a concept that will bring more revenue, more revenue, to each and every school district. There have been arguments that it would reduce the lottery intake, I think this is a fallacy. The lottery sales have climbed each year...today we expect in '84 eight hundred and fifty million dollars in sales, in '85 1.1 billion dollars in sales. This is money that can be used to help our educational system. I...I can't see, at this point,

any opposition to it. And I would ask your favorable roll call on the adoption of this amendment.

PRESIDENT:

All right. Senator Savickas has moved the adoption of Amendment No. 1 to House Bill 1563. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President will the...

PRESIDENT:

Senator Schaffer...

SENATOR ETHEREDGE:

...sponsor yield?

PRESIDENT:

...sponsor indicates he will yield, Senator Etheredge.

SENATOR ETHEREDGE:

Senator, as I understand the thrust of your amendment, now you would put...you would charge an additional twenty-five cent fee, is that correct, per lottery ticket?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

This...the money would then be collected by the lottery and distributed to the superintendents of the educational service regions, who would then have the responsibility of dividing the money up and distributing it to the individual school districts. Is that correct?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, it would be distributed per population. There are

some service regions that have more than one county in them and more than one school district. And the only fair way that we found that we can distribute it is by population and help each and every school district in the State.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

This...this is the population of the school district, now, not the population of the school. Is that correct?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

No, this would be student enrollment, not the...not the physical population of the district but student enrollment.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Then I would...I would just point out to my colleagues that this represents a very sharp departure from...from past practice. I mean, we are charging an additional fee for those people who participate in the...in the lottery and distributing the...the proceeds not to the General Revenue Fund but...but directly to school districts. Certainly the...the idea of providing additional funds to education is certainly a laudable one, but we're talking about establishing a...a new administrative structure that...that...at the present in order to implement this program, because the present structure is not geared up to...to do this job. So I would have a number of concerns about this...about this legislation, I want to point them out right now.

PRESIDENT:

We have a number of others who have wished to address this issue, but in the meantime, the Chamber has been graced with the former occupant of this Chair, a good friend of all

of ours, and I'd like all of us to welcome back Senator Cecil Partee.

SENATOR PARTEE:

(Remarks given by Senator Partee)

PRESIDENT:

Yes, Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO

Well, since Cecil is back here, I've been here for ten years and when I first came down here you used the word, "discombobulation." I never did know how to spell that so if we could have a little contest on...on the spelling, perhaps.

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

You won't have...you won't have to do that, I'm sending you a dictionary next week.

PRESIDENT:

All right. The question is the adoption of Amendment No. 1 to House Bill 1563. Further discussion? Senator Joyce. Senator Grotberg.

SENATOR GROTBORG

Thank you, Mr. President. I would first ask in the order of parliamentary procedure if you would seek a ruling as to the germaneness of this, and while you are looking that up, if I may, I rise against...every goose we create in this State of Illinois, we kill. No matter what good news there is on the horizon of State revenues, we find a way to water it down, to pick its feathers, to make sure that it goes no further. The optimum of the lottery is upon us, it is thriving, it is generating general revenues, and God knows, I hope it generates enough to do even more than what the good Senator is recommending, the laudable goal for education. But to lop its head off by raising the price, by creating an impossible bureaucracy, by throwing...the responsibility into

a system whose name is bureaucracy, the regional and other school districts will find a way to sap-up for this one too. We will need assistants, we will need accountants, we will need everything else and they don't even have a lawyer. I've been trying...for five years to get the regional superintendents to have legal representation, they have a hard time finding that. It is not the appropriate time to kill our golden goose and I would ask you to resist this amendment.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, very briefly, because I hope we'll debate this on 3rd reading. It...the problem, Senator Grothberg, is that this golden goose has laid eggs that are going into the basket of downstate coming out of the City of Chicago. And all we are asking here is to permit...the original purpose or at least the supporting rationale for enacting the lottery was to help education. Now if that was a fiction, so be it, but the fact of the matter is, is that there is no empirical data to support the argument being made that the revenue...that there will be a loss of revenue if this legislation is enacted. This money comes out of Chicago and we are asking that that pro rata share that comes out remains and remains there for a good purpose. And I support the adoption of this amendment.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. The original rationale for the lottery was that all of the funds would go to education. And I don't understand how we can stand here and talk about killing the golden goose when what we are doing today is making a statement that education is and should justifiably be the number one priority

of all of us here in the Legislature. And whatever, whatever shortfall there may be, and it will be minimal, in GRF, we are providing by this legislation two hundred million dollars plus of new revenue for the school children of the State of Illinois. And that is the statement that should come out of this Legislature, two hundred million dollars for education and making education our number one priority. And if that's killing some goose, that goose ought to be killed with a smile because he's taking care of the kids of the State of Illinois.

PRESIDENT:

Further discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Should anyone paint this as a Chicago-downstate issue, let me advise you that in my area we have what is known as a Quad-city Downs. And the people come from Iowa to play at the race track and gamble, the people come from Illinois to gamble and the money goes down here to Springfield and it goes to a Civic Center Fund. We don't have a civic center. We also have a good trade in the lottery. We have people coming over from Iowa to buy lottery tickets. We have Quad-citians buying lottery tickets. That money does not necessarily stay in our area; it, like Chicago, the money goes down throughout the State. It's about time that we get a certain percent out of that lottery for our school kids. Today we've got the Illinois Education Association down here lobbying, yesterday we had teachers down here lobbying, they are for this legislation, not for Chicago but for the...kids...school kids throughout the State of Illinois. So this is not just a Chicago issue. It's about time that the money that is raised in our communities goes more for the communities and not throughout the State. We just want our share. Thank you.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I also rise in support of this amendment. May I point out to some of my colleagues on the other side of the aisle, if I pulled the roll call, one of our colleagues that's no longer here in this Chamber is...was Senator Karl Berning; every year when we had the School Aid Formula debate, Senator Berning would offer an amendment to change everything to a flat grant and take the whole pot of school aid funds and distribute it on a pro rata basis. Now...exactly, Senator Schaffer, it is fair enough as it relates to this amendment and that's exactly what we're doing. A lot of you Senators, especially on that side of the aisle, such as my good friend Senator Keats, Senator Kustra, Senator Barkhausen, Senator Schaffer represent districts that don't get much, if any, State aid. This is the amendment that's going to get your school district on a pro rata basis some money out of that State pot. They need it just as much as the other school districts do. It's a simple noncomplex formula so we don't have to run to those experts every time we're talking about distribution of...of State aid. This is the one bill that you can go home with if you vote Yes, and say that you've done something at a State level for your school kids. I urge a Yes vote.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I was committed my first term to support the lottery bill which gave the funds to...to the Education Fund. But then it was changed in the Senate and then it became the funds that were in the general treasury and then I did not vote for that. I am committed to supporting education. I am also committed to the fact that the lottery should support education, and I

think this amendment is a good amendment and I rise in support of it.

PRESIDENT:

Further discussion? Senator Jones.

SENATOR JONES:

Just to agree with...Mr. President, just to agree with most of the sponsors in support of the legislation, this is one of the ways we can solve the problem throughout the State of Illinois for education. And those of us who have expressed concern about where the money goes, the money will go to your district, it'll go to your schools in your area. So let's not play games with this particular issue. If we are really concerned about the kids in the public schools in the State of Illinois, we will vote for...we will vote for this particular amendment. If you don't want to vote for this amendment, then vote for the extension of the income tax. But...let's not play games. This is an opportunity for you to put your vote where your mouth is, and vote Yes is the proper vote for the children of the State of Illinois.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senator Berman, you mentioned that this would go back to the school districts in a proportionate share and that's what the amendment says. However, in the amendment there is no mechanism for doing so except to say that the regional superintendent shall ensure that it will go back in...proportionate share. Now what does proportionate share mean?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, obviously, the...regional superintendent has the list of the enrollment of every student in the district and

the numbers and it's going to be distributed, and I don't think we need many accountants to figure out how many children are enrolled in the school in the district, how much money comes into that district from this lottery surcharge and how to divide it up by the amount of students. If you have a thousand students, you get a...five thousand dollars in lottery money, that's five dollars per student to that district. I think it's a very simple arithmetical concept, and I...I don't think there's going to be any difficulty in administering it. If there is...I am asking that we adopt this amendment, pass this bill and if there is a difficulty, we can amend it in the House and bring it in a shape that...to answer the problems that you may have. It's a new concept, a concept that we hope can be a viable concept. But today we need some viable concepts, alternative concepts to what our present funding system is doing and that is just creating a bigger and bigger deficit for our school system.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, let me...let me state my question more specifically. School District 299, Chicago, is a unit district. In my area we have elementary school districts and we also have secondary school districts. Now does that mean that I will get twice as much per student? Because my...I'll get the same amount for the elementary student as I get for the high school student, as you will for one student in Chicago? Because if that's the case, I'm going to get twice as much. But you said per student.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes. Senator, on page 2, line...line 18 through 30, I think can answer your question. It states that, "The region-

al superintendent of schools of each educational service region shall distribute the monies allocated to his educational service region by the superintendent in such a manner as to ensure that the school districts within the region receive funds in...direct proportion to the student enrollment in the district. The State Board of Education shall annually certify to each regional superintendent of schools the student enrollment of each school district within the educational service region during the preceding school year."

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, I...I read that, Senator Savickas, and that's what I'm asking you what it means. Now you've got to remember that in a nonunit school district there is a weighting factor for high school students. Now, does this mean...does this mean that the students that are in that area who may be going to a different high school than some other students that are going to the elementary school, how are they going to get the money?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

In the past, Senator, and obviously in the present, we have too many people that are trying to include so many formulas and so many different factors in how money is distributed and raised. The purpose of this bill was to do it in a simple mathematical formula. If it is a...if there is some concern that it does not meet that criteria, which is to distribute the monies raised per student enrollment, not on a weighted factor, not on a calculated figure but just how many students there are, how many money goes into that region and divide it up per student, no weighting factor, no other calculation. If...if the bill is wrong in its construction,

I would be happy to adjust it. The purpose of this bill is to do it in a simple mathematical manner. Just...I think probably a simple body count; ten students, there's ten dollars, it gets one dollar per student, no mathematical formula, no weighting factors, just by body count.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

What I'm trying to tell you, Savickas...Senator Savickas, is that it is not a simple body count. I have a lottery place right across the street from my legislative office, all right? It sits in an elementary school district and it sits in a high school district, all right? But some of those kids from that elementary school district do not go to that same high school, all right? They go to a different one. Now who gets the money?

PRESIDENT:

Senator Savickas.

SENATOR DeANGELIS:

I...I don't need an answer to that.

PRESIDENT:

All right. Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, in committee, the bill that you were seeking to pass, as I recall, the distribution formula in that bill said that the proceeds from this tax would go back to the communities in which the tickets were sold. Is that a part of this...of this amendment?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Senator, when that first...bill was first designed that was the thrust. After discussing with the different educational areas that have problems, we found that it would probably be a more fairer way to have each educational service region distribute the monies to those districts...school districts within it. Obviously, there are some counties that have a school or school district that sell no tickets but they are in a regional district. As for a better way, I think this was the most fairest way after our extensive discussions with the educational people throughout the State, and I have...I have no disagreement with it, if there's a better way I would be amenable to accepting a better way of distributing...distribution.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you. I think I found the answer to my question. On page 2, line 11, it indicates that "The monies in the local school fund shall be allocated monthly among the various educational service regions in such a manner as to ensure that each educational service region receives a sum equal to the amount deposited in that fund as a result of purchase of lottery tickets." That seems to say to me that if eighty percent of the lottery tickets are sold in Chicago, that eighty percent of this money is going to go to Chicago and that's my question really. I guess I'll put the question a different way. Does the...will...will this money be distributed to the local school districts on a pro rata basis equally for every child in the State of Illinois or will different amounts...different percentages be going to different regions of the State?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, obviously, different amounts will go to different regions. The percentage of distribution will be the same. The amounts will change because of...the amount of tickets sold in each area. When you talk about Chicago and Cook County...no, Chicago alone would not get it, it would be distributed through the county superintendent. That means every suburban school in Cook County would get a share based on each body count, each pupil enrolled in the school. At the present rate in Chicago and Cook County, there is probably close to a fifty-fifty ratio within the suburban areas and...with the city students.

PRESIDENT:

Further...Senator Schuneman.

SENATOR SCHUNEMAN:

Just one...just to the amendment, Mr. President. Well, it appears to me then that the mechanism in this amendment says simply that the money is going to go back to the communities in which the tickets were sold, not necessarily where the educational need might exist.

PRESIDENT:

Further discussion? Further discussion? Senator Grothberg.

SENATOR GROTHBERG:

Thank you, Mr. President, I appreciate being recognized for a second time. Senator Savickas, if you would, I would urge you, realizing the...there's argument about the distribution, maybe some word changes, but the concern for the golden goose, which is probably what will bring...bring a gubernatorial veto, et cetera, and we'll have overrides and it may not pass in the first place, would you...would you, Senator, consider sunseting in direct proportion to its...maybe it won't affect the lottery at all but that is the unknown. Would you consider escrowing for ninety days

the first skim to see...and...and based on the...the net effect and return of the lottery, if it makes a difference, I think the...the...man on the second floor has no option but to think of those things. The Revenue Department has no option. The lottery has no way to do it, but let's not build in that unknown to change a massive program without linking into it the net cost effectiveness in the first place of doing it. Don't crank up the distribution system till you see if it kills the golden goose. And if there's some money there, leave the language in but word it out there so that it can drop dead of its own volition, because we're all going to be running for office, we'll be back next spring, it could go on for a year, the lottery sales...we'll be back here in special to save the lottery, maybe...maybe not, that's what scares this side of the aisle, Senator, not trying to help education but do you kill the golden goose including the Chicago eggs and the downstate eggs? Would you consider it, sir, taking it from the record, rewriting it and bring it out here, we've got a couple days.

PRESIDENT:

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

SENATOR SAVICKAS:

Senator...Grotberg brought out a valid point, and I have no opposition to considering further amendments on this bill, whether it's done in the House...if he wants a three months, six month, a year sunset provision, whatever he will support, I'm willing to listen and work with it. I think that's a fine idea, I have...I have no problem. Let's adopt this amendment, get the bill ready. If they want to adopt the amendment on the sunset provision, I have no problem with that, I think that's a legitimate concern. It can be done in the...in the House even, there's no, no problem with that all all. I'd be glad to...if we pass the bill to 3rd, bring it

back to 2nd for that amendment. Senator, we're trying to develop a new concept without hurting the State revenues and that's all this is. And I would appreciate your support in this amendment.

PRESIDENT:

All right. The Chair is prepared to rule Amendment No. 1 to House Bill 1563 because it's an amendment to Chapter 120 is in fact germane. The question is the adoption of Amendment No. 1 to House Bill 1563. 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, there are 39 Ayes, 12 Nays, none voting Present. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1658...Senator Johns, for what purpose do you arise?

SENATOR JOHNS:

For a point of personal privilege, I haven't done this in years. But in the gallery...in the President's Gallery right behind you, the Egyptian Chapter of the National Council of Retired Senior Citizens from District 11 here in Illinois is present. I'd like for them to stand and the Senate to recognize them.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield.

SENATOR JOHNS:

Thank you, Mr...

PRESIDENT:

1658, Senator Marovitz. 1859, Senator D'Arco. On the Order of House Bills 2nd Reading, House Bill 1859. Read the

bill, Mr. Secretary.

SECRETARY:

House Bill 1859.

(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. 2307, Senator Lechowicz. On the Order of House Bills 2nd Reading is House Bill 2307. Read the bill, Mr. Secretary.

SECRETARY:

House Bill...excuse me...2307.

(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. 2334, Senator Savickas. On the Order of House Bills 2nd Reading, House Bill 2334. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2334.

(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 Savickas.

PRESIDENT:

HB 2458
2nd Reading

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Amendment No. 1 is a...really a technical clarifying change. It was requested by the Illinois Association for Retarded Citizens and it deletes the words "agencies or clinics" and inserting in lieu thereof "public agencies or public clinics." And it was...evidently requested by the association and it deals with the Community Mental Health Board in Chicago with the public agency clinics. I would ask its adoption.

PRESIDENT:

All right. Senator Savickas has moved the adoption of Amendment No. 1 to House Bill 2334. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2359, Senator Buzbee. 2360, Senator Kustra. 2368, no. 2458, Senator Nedza. On the Order of House Bills 3rd...2nd Reading is House Bill 2458. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2458.

(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 Nedza.

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate number...Senate Amendment No. 1 deletes everything after the enacting clause and becomes the bill. It amends the Highway Advertising Control of...Act of 1971, to-wit, is that toll...on tollways, currently it's only on highways and expressways, signs on the same side are to be fifteen hundred which is now...five hundred feet apart. Outside municipality signs and primary highways other than expressways are to be five hundred, presently three hundred feet apart, and signs with a gross surface area less than a hundred and fifty square feet may be less than three hundred feet apart. Signs are not to exceed eighty feet in height on primary...that's on the tollways and the expressways; primaries...primary highways, sixty-five foot in height. It will require proof of consent of landowner to the placement of the sign. It will require a yearly notice to IDOT of continued existence of the sign and raises...the signs on other than primary highways, it increases the fee from five dollars to ten dollars. If there isn't any discussion, I would move for its adoption.

PRESIDENT:

All right. Senator Nedza has moved the adoption of Amendment No. 1 to House Bill 2458. Discussion? Senator Keats.

SENATOR KEATS:

A couple of questions.

PRESIDENT:

Sponsor indicates he'll yield, Senator Keats.

SENATOR KEATS:

First of all, is this a House bill that died in the Senate Rules Committee now being amended onto a bill?

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

No, sir.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Second question, who wants all this?

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

City of Chicago, State of Illinois and a portion of the...advertising industry. &tf PRESIDENT:

Senator Keats.

SENATOR KEATS:

Have they all agreed to this?

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

Up to this point.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Thank you.

PRESIDENT:

Further discussion? Further discussion? If not, Senator Nedza moves the adoption of Amendment No. 1 to House Bill 2458. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2479, Senator Joyce. Middle of page 20. In the meantime, we'll do House Bill 2360, Senator Kustra is back on the Floor. Read the bill, Mr. Secretary. On the Order of House Bills 2nd Reading, House Bill 2360.

AB 2479
2nd reading

SECRETARY:

House Bill 2360.

(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. 2479, Senator Joyce. On the Order of House Bills 2nd Reading is House Bill 2479. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2479.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Joyce on Committee Amendment 1.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Committee Amendment No. 1 would change the law in regard to the amount of alcohol that you could put in candy. There's...right now...the current law was enacted during prohibition. What this does is allow you to go to five percent of candy...of alcohol in candy by volume. This...there's a firm that is trying to locate in my District 10. They want to make this, it's...this has happened in several states now, Washington, Oregon, Kentucky, New Jersey, it's an antiquated law. The...there has been a piece of paper passed around saying that...or sent around saying that, you know, we're trying to trick little children. Well, with five percent by volume, you would have to eat six pounds of candy to get one shot of booze. So, I would say you'd get pretty sick before you got loaded. Anyway...by the

time it's cooked down...the taste is there but that is all. Also, a box of this candy costs between ten and fifteen dollars, so I don't think it's something that kids are going to run to the stores and buy. So I'd ask for the adoption of the amendment.

PRESIDENT:

Senator Joyce has moved the adoption of Committee Amendment No. 1 to House Bill 2479. Any discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I don't really know how to vote on this amendment, so I just wondered if you had any samples, Senator.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Committee Amendment No. 1 to House Bill 2479. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2, by Senator...Jerome Joyce.

PRESIDENT

Senator Joyce.

SENATOR JEROME JOYCE:

All right. There was some problem in committee about the...prohibition of liquor sales near churches. I might point out that this is the Illinois Liquor Control...Control Commission's bill, and this bill is...this amendment clarifies that now saying that all businesses outside of Chicago that sell liquor as an incidental activity to...will...to...would allow them to operate within a hundred

feet of churches as it is...prohibited in current law. This amendment clarifies that local...liquor control commissions have that authority to prohibit such sales. So, this allows the locals to have the authority to prohibit sales within a hundred feet of churches.

PRESIDENT:

Senator Joyce moves the adoption of Amendment No. 2 to House Bill 2479. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Newhouse.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you...thank you, Mr. President. Amendment No. 3 amends that section that has to do with corporations. The...the section would exclude at this stage limited partnerships. This...amendment just simply adds a limited partnerships to that section. I'd move its adoption.

PRESIDENT:

Senator Newhouse has moved the adoption of Amendment No. 3 to House Bill 2479. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered...Senator Schuneman.

PRESIDENT:

Senator Schuneman. Amendment No. 4 to House Bill 2479.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Yesterday we talked about a way to fund the domestic violence program. And I suggested at that time that it would be more logical to impose some kind of an alcohol tax since alcohol abuse is...is a...an

integral part of most domestic violence. I think that's a better way to fund the bill...fund that program than to raise the marriage tax. Now I understand that that bill passed out of here yesterday, but I want to offer this amendment because what the amendment does...you remember the Governor's proposal last year to raise some sixty million dollars and raise the tax on alcohol a little bit to do that? We didn't adopt that but this is exactly the same mechanism only we only seek to raise it...to raise the tax two percent but it will raise two and a half million dollars. I submit to you that if we adopt this amendment and pass the bill, the Governor will at least have an option then of deciding whether he wants to impose the marriage tax or if he wants to impose an alcohol tax. So I respectfully offer the amendment on that basis.

PRESIDENT:

All right. Senator Schuneman has moved the adoption of Amendment No. 4 to House Bill 2479. Any discussion? If not, all in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2513, Senator Etheredge. 2534, Senator Dawson. On the Order of House Bills 2nd Reading is House Bill 2534. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2534.

(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. 2542, Senator Barkhausen. Bottom of page 20. On the Order of House Bills 2nd Reading is House Bill 2542. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2542.

(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 Barkhausen.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

A question of the...of the Chair or the clerk. I was under the impression that we had adopted Amendment No. 1 before the bill was taken out of the record the other day.

PRESIDENT:

No, we took the whole thing out of the record. That's the only way we can do it so that Enrolling and Engrossing doesn't get snafued, so we're back on Amendment No. 1.

SENATOR BARKHAUSEN:

Well, Amendment No. 1 then, again, Mr. President and members, clarifies that in counties of population between four hundred thousand and six hundred thousand, a municipality bordered by a creek would be in a position that it could annex adjacent property. Currently, a municipality can annex where bordered by a lake or a river, this would allow that to happen when a municipality is bordered by a creek, but only in counties of between four hundred thousand and six hundred thousand.

PRESIDENT:

Senator Barkhausen has moved the adoption of Amendment

No. 1 to House Bill 2542. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Savickas.

PRESIDENT:

Senator Savickas on Amendment No. 2.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, the summary...would allow that elected city officials take leave of absence from another city job during his term of office. Exempts collective bargaining agreements from the requirement that an appropriation be made as a condition precedent to the making of a contract. Makes four changes relating to the City of Rockford. The first item I guess was a question on one of the Chicago police officers that was elected as an alderman and his ability to...take examinations in his original profession and qualify for...test results. There was a question, a technical question on it, he had asked if we can clarify it in our Statutes. The second...the item that deals with the City of Rockford is a concern that the City of Rockford is no longer a home rule unit, and this amendment restores certain provisions that existed under the home rule. And...I...that deals...that the City of Rockford may select from the top seven candidates from its police and fire eligibility list, and provides that all employees of the Rockford Police and Fire Department who receive promotions shall be placed on probation for a one-year period. The fourth item provides that whenever the board of directors of a tuberculosis sanitarium...recommends in writing the discontinuance of any public tuberculosis sanitarium that the corporate authorities of Rockford may bring about the discontinuance of the sanitarium by adoption of such an ordinance. And the last item provides that an existent redevelopment project

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area, this is a tax increment district, may be expanded. Further provides that if a redevelopment project area is expanded, the equalized assessed valuation, EVA, of the original territory shall remain as it was originally established, but that the EVA of the new territory brought into the redevelopment project shall be the most recently ascertained EVA. I move its adoption.

PRESIDENT:

All right. Senator Savickas has moved the adoption of Amendment No. 2 to House Bill 2542. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2560, Senator Netsch. On the Order of House Bills 2nd Reading, top of page 21, is House Bill 2560. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2560.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Netsch on Committee Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. I might mention that there probably will be some additional amendments subsequently, but I would like to get the committee amendment on and...and move the bill. The committee amendment was originally worked out to be put on the bill before it left the House and then timing problems prevented that. It tightens some of the definitions and provisions and was worked out particularly with the cooperation of the Illinois Pharmacist Association.

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2nd Reading.

It makes it clear that a generic drug pricing policy will apply where generic...generic drugs are available. It limits the dosage amounts in a different quantum from the original version of the bill. It makes it clear that the survey of reasonable cost is to be done every twelve months rather than every twenty-four and further tightens up the definition of reasonable cost. I would move the adoption of Amendment No. 1 to House Bill 2560.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Committee Amendment No. 1 to House Bill 2560. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2566, Senator Savickas. 2598, Senator Lechowicz. On the Order of House Bills 2nd Reading, the middle of page 21, is House Bill 2598. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2598.

(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 Lechowicz.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. My...Amendment No. 1 is a work product of the committee, both staffs and the respective Illinois Housing Development Authority. Basically what it does, it makes available a number of units for low and moderate income as required by Federal law. It also makes clear that the heating and utility costs are important parts of a low or moderate income family's living costs. And the amendment also makes it clear that in the absence of any Federal housing subsidies, use of revenues from commercial property is one way to assist construction of low income housing. Basically, this is a work product of both staffs and I move for its adoption.

PRESIDENT:

All right. Senator Lechowicz has moved the adoption of Amendment No. 1 to House Bill 2598. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senators Netsch, Watson and Johns.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Yes, thank you, Mr. President. This amendment deals with the principle and policy of energy conservation for projects that are to be funded in part by IHDA and it includes a finding that would be inserted into the basic bill that makes it clear that...that energy costs are an important part of the overall cost of housing and that its...some...a factor that ought to be taken into account and controlled. It also adds into the section which basically spells out IHDA's responsi-

bility to provide decent well-designed housing. The additional element, if you will, that it be energy efficient. I would move the adoption of Amendment No. 2 to House Bill 2598.

PRESIDENT:

Senator Netsch has moved the adoption of Amendment No. 2 to House Bill 2598. Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move...I also move to concur in Amendment No. 2. It makes it clear that energy efficiency technics in building materials, should be available to low and moderate income tenants in IHDA projects. I also move for its adoption.

PRESIDENT:

All right. Further discussion? Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. As chairman of the Energy Resource Commission, I heartily endorse what Senator Netsch and Senator Watson are trying to do here, because it certainly will cut down on the consumption of...of electricity and give housing a better break. Thank you, Mr. President.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Amendment No. 2 to House Bill 2598. Any further discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senators Netsch, Watson and Johns.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 3 deals with the

same general subject, that is, the importance of energy costs to...in the overall cost of housing as provided by the Illinois Housing Development Authority. And the amendment specifically requires that not later than January 1, 1986 the authority shall establish rules and regulations setting forth...minimum energy efficiency standards in any developments that are to be financed by them in the future and makes it clear that given six months from that date, that is after July 1, 1986, they may not continue to make commitments to fund or help fund housing developments unless they do, in fact, meet those...basic minimum energy standards. I would move the adoption of Amendment No. 3 to House Bill 2598.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Amendment No. 3 to House Bill 2598. Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I also concur with this amendment...its always been the policy of the authority to try to promote the efficiency and energy standards to the best of their ability and this would also help them in that area. I move for its adoption.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Amendment No. 3 to House Bill 2598. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senators Netsch, Watson and Johns.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you. I would withdraw Amendment No. 4.

PRESIDENT:

All right. Amendment has been withdrawn, with leave of the Body. Further amendments, Mr. Secretary?

SECRETARY:

No...no further amendments.

PRESIDENT:

3rd reading. Senator Maitland, 2605. The middle of page 21, House Bills 2nd Reading is House Bill 2605. Read the bill, Mr. Secretary.

END OF REEL

REEL #3

SECRETARY:

House Bill 2605.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Elementary and Secondary Education offers two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. It's going to be necessary for us to Table Committee Amendment No. 1. It's a technical amendment, but there has been some changes, and so we're going to Table this amendment and offer a subsequent amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Maitland, having voted on the prevailing...Senator...Senator Maitland moves to Table Committee Amendment No. 1 to House Bill 2605. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Any further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Committee Amendment No. 2 likewise is a technical amendment which specifies that the special education tax rate is included in a district's operating tax rate. I move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland moves the adoption of Committee Amend-

ment No. 2 to House Bill 2605. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 3 offered...Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Committee Amendment No. 3, then, replaces Committee Amendment No. 1 and this amendment...simply is...is a technical amendment really. It specifies that the operating tax rate to be used for Enterprise Zone Act's adjustment shall be the maximum operating tax rate. This...this merely assures that there is no change in the money received from the resource equalizer because of the reduction in assessed valuation in the enterprise zone, and I would move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland moves the adoption of Amendment No. 3 to House Bill 2605. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

Amendment No. 4, by Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Amendment No. 4 to House Bill 2605 is a...is a Title 1 amendment, and this

amendment gives school districts the option of using their Chapter 1 student count, 1980...census or 72.25 percent of their Chapter 1 student count which is the 1970 census. You may recall, last year, we...we adjusted it and allowed the school districts to use either the 1980 census or eighty-five percent of the 1970 account... '70 count. We are phasing in a bit more this year and that's what this amendment does. I would move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland moves the adoption of Amendment No. 4 to House Bill 2605. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 22...in the middle of page 22, House Bill 2657, Senator Sommer. 2658, Senator Carroll. With leave of the Body, Senator Lechowicz requests leave to handle House Bill 2658 in Senator Carroll's...being off the Floor. Is leave granted? Leave is granted. Mr. Secretary, House Bill 2658, read the bill.

SECRETARY:

House Bill 2658.

(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 2740, Senator Lemke. Read the...read the bill, Mr. Secretary, please. House Bill 2740.

SECRETARY:

House Bill 2740.

(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 Holmberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

This amendment deals with a problem in...in Winnebago County where they're trying to set...set up a special service area for...for law enforcement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg moves the adoption of Amendment No. 1 to House Bill 2740. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 is a reaction to a court ruling in DuPage County, and under the old Statute in regards to special assessments, we were able to, by special assessment, build sewers, sidewalk, curbs, lighting and roads. The judge said that the section was poorly drafted and you'd have to do a road, first, before you could do sewers, sidewalks, curbs and lighting. What this does is change it back so that it makes it clear that you could do each one of those individually. Be happy to answer any questions and move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip moves the adoption of Amendment No. 2 to House Bill 2740. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this amendment allows county auditors to have the same provisions that we've done for the other offices in the county where they have their own internal operation of their own office. We did the same things for the sheriff, the recorder of deeds and other county office. I'd move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson moves the adoption of Amendment No. 3 to House Bill 2740. Any discussion? If not,...Senator Rock.

SENATOR ROCK:

I...I beg your pardon, I'm sorry, I missed the explanation. We're...we're allowing them to do what?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Davidson.

SENATOR DAVIDSON:

Control the internal operations and do their own internal audit within their own auditor's office, not under the control of the county board. We're giving them the same thing we did to let the sheriff and the recorder of deeds and the other people to do their own internal operations of their own office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

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Cook County is not included, I take it, in this amendment. That's an appointive office appointed by the county board in our county.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

I'll have to check. I...my understanding, it is not. This has been cleared with the...with the sponsor of the bill and my understanding it was not, but let me double-check the bill. Senator Rock, I...I cannot...it's in counties of five hundred population or less, so it would not apply to Cook County.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson moves the adoption of Amendment No. 3 to House Bill 2740. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2804, Senator Egan. 2810, Senator Jeremiah Joyce. Bottom of page 22, 2810. Oh, read the bill, Mr. Secretary, please. Bottom of page 22, the Order of...of 2nd Reading, House Bill 2810.

SECRETARY:

House Bill 2810.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Labor and...Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

No, Senator Nedza has that amendment...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Nedza. Senator Nedza.

SENATOR NEDZA:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 changes two words in the Act. It changes the "may" to "shall" and it also sets in a specific date of...of January 1, 1986. What it does is it has the...it's a...by referendum having the townships reassess their lines so that the assessed valuation is not less than ten million dollars in any township. Any questions, I'd be glad to answer them. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Nedza moves the adoption of Amendment No. 1 to House Bill 2810. Any discussion? If not, 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:

Amendment No. 2 offered by Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Last Session we passed out of here a bill that changed the procedure for notices...publishing of legal notices. The Illinois Press Association is now seeking to undo what we did last year with this amendment. Specifically what we did last year, we removed the requirement that notices be published in the newspapers published closest to the people affected, and that...and we also removed the requirement that a notice must appear in all editions published on that day allowing the notices to be published in a small edition reaching only

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2nd Reading

a few of the people affected. This amendment restores those provisions in the law. I am certain that there will be some problems in the drafting of all of this. I'm certain that this will have to be redrafted, but I ask that we put this on at this time and deal with those questions at 3rd reading and a later date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Jeremiah Joyce moves the adoption of Amendment No. 2 to House Bill 2810. Is there any discussion? If not, 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 2816, Senator Egan. Bottom of page 22, House Bill 2816, Mr. Secretary, read the bill.

SECRETARY:

House Bill 2816.

(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 23, House Bill 2827, Senator Egan. Read the bill, Mr. Secretary, please. House Bill 2827.

SECRETARY:

House Bill 2827.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. I move the adoption of Amendment No. 1...Committee Amendment No. 1 which effectively...at the request of the Department of Children and Family Services takes them out of the notification procedure and...and...isn't that one? That's committee amendment, yes, and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan moves the adoption of Committee Amendment No. 1 to House Bill 2827. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Are there any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Egan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan.

SENATOR EGAN:

All right, thank you, Mr. President and members of the Senate. Floor Amendment No. 1...or this is...this is now Amendment No. 2, correct? This amendment is a technical amendment submitted by the State's Attorney's Office. I'm told that it...there are no substantive changes and it's technical entirely, and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan has moved the adoption of Amendment No. 2 to House Bill 2827. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it.

Amendment No. 2 is adopted. Any...any further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 3 to House Bill 2827 is a clarifying amendment which clarifies an ambiguity in the no-fault divorce law that says the two-year time...separation time prior to July 1st of 1984, which is when the Act begins, may be included in the two-year waiting period. It has...it's no substantive change whatsoever in the law. Absolutely no...substantive change. It was requested by the chief judge of the matrimony division of the divorce...in...in Cook County, Judge Richard Jorzak. He has sent a letter to me which I've passed out to some of you, and I would just ask for adoption of this clarifying amendment. No substantive change whatsoever.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Marovitz has moved the adoption of Amendment No. 3 to House Bill 2827. Is there any discussion? Senator Egan.

SENATOR EGAN:

Yes, Mr. President and members of the Senate, I just would like to acknowledge the fact that there is no opposition to the amendment. It's entirely acceptable.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Marovitz moves the adoption of Amendment No. 3 to House Bill 2827. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2837, Senator Rock. House Bill 2856, Senator Coffey. Middle of page 23...middle of page 23, House Bill 2856. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2856.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. This amendment provides that the Treasurer shall discontinue the monthly transfers into the Downstate Public Transportation Fund. Presently, there's about...appropriated about 10.6 million used for that purpose and there's over nineteen million transferred into that fund. This would just allow them to only tranfer the amount appropriated. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Coffey has moved the adoption of Committee Amendment No. 1 to House Bill 2856. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. 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 2871, Senator Barkhausen. Mr.

HB 2871
2nd Reading

Secretary, read the bill, 2871.

SECRETARY:

House Bill 2871.

(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 Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this is the amendment that I started to present the other day when Senator Berman had some questions about it and he asked that it be distributed, and so the bill was take out of the record at that time. Since then, the amendment has been distributed along with an analysis and along with a recommendation of the Supreme Court that the General Assembly take the step of...of adopting this measure. I had a chance to discuss it with Senator Berman. I...I regret that he isn't here right now, but I will represent to all of you that he is for it, and I also had a chance to discuss this with Senator Lemke, the chairman of the Judiciary Committee which passed this in bill form two years ago. This bill has twice passed the House. Again, what it would do, it would eliminate...this gets a little bit technical, but it would eliminate the common law distinctions between licensees and invitees. As all of you who, like me, have struggled through law school had to learn at one point, there is a distinction under the common law between types of persons coming onto...to premises, and landowners are called to exercise a differing amount of care depending upon the purpose for which a person comes on their property. If a person is coming on for economic reasons, say the landowner

is a store owner, the person is called an invitee and that owner owes the person coming onto the premises the duty of reasonable care, but if one is coming on the premises for social reasons, then the owner theoretically does not owe us duty of reasonable care; but is only...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Barkhausen,...

SENATOR BARKHAUSEN:

...only to be protected for willful and wanton misconduct. So, I'm...I'm asking that we take this step that the Supreme Court has asked us to take and that's the purpose of the amendment. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen moves the adoption of Amendment No. 1 to House Bill 2871. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2878, Senator Marovitz. 2917, Senator Jerome Joyce. Okay, on the bottom of page 23, House Bill 2917. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2917.

(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...whoop...all right, with leave of the Body, we'll return...House Bill 2917 to the Order of

2nd Reading for the purpose of amendments. Leave granted? Leave is granted. On the Order of...on the Order of 2nd Reading, House Bill 2917, we'll wait until we get the paper work caught up here.

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President. This is Amendment No. 1 to House Bill 2917 will allow townships to be involved in senior citizens housing. We have one township in my county who wants to build some senior citizens housing, there may be others, and after searching the township Statute realize that there were some powers that they did not have in order to go into this kind of program. They checked it out with Chapman and Cutler and this amendment would give the townships the right authority to go into senior citizen housing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Sangmeister has moved the adoption of Amendment No. 1 to House Bill 2917. Any discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Keats.

SENATOR KEATS:

Okay. Knowing what a disaster some of the senior housing has been in my area, does this give the voters a right of referendum?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

No, there's...there's...there's no referendum in here.

All it does is expands the...the Township Act referring to senior citizens housing. There is no referendum in there, there's no bonding authority given in here or anything else. It just gives them the authority to go ahead with this kind of a program, and it does say, if I understand where your question is coming from, it allows them to enter into agreements with other governmental units to finance such residential rental property.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Keats.

SENATOR KEATS:

Okay, now basically, that...that part... 'cause we didn't have a copy of the amendment, so, pardon, that's why I'm having to ask the...the questions. The financing idea is Section 202, that's senior subsidized housing. Philosophically, I'm not overly in favor of it, but I'm not overly against it, but that has tended to be until recently private sector involvement. Now, we've had governments getting involved into a program that was essentially privately oriented. We have found the costs of that kind of construction up about forty to fifty percent. We just did a senior project in Wilmette without any subsidy whatsoever and by not using 202 funds by doing it and I...technically for profit basis cut construction costs, I think about forty-six or forty-seven percent. The government program is probably as inefficient a system as most government programs. The point I'm trying to make, if we open up this new area without...specifically...very specifically giving citizens the right of referendum, what we'll see is what I'm now seeing in my area as we are seeing a proliferation of senior housing, various groups want it, various groups don't, a couple of pressure groups push one way or the other, and the majority of the taxpayers in that area, who are usually financially liable for the project, do not have a right to express their

viewpoint in advance. It's major enough, I really think the idea of saying, before we get the government into building senior citizen housing, we should have some right of referendum for them to gain some direction from those who are paying for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I...I think that was a statement on behalf of the Senator's part and...all I can do is to indicate clearly that that is not in here and is not intended to be in here. This amendment, if you...by way of explanation for you, Senator, it comes from Representative Jack Davis over in the other side who is working with the Frankfort Township Supervisor, and they've got themselves committed to building a very simple building to put fifty-four senior citizens into it. This...clarifying language is necessary in order to put the project off the ground.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Could I ask the Senate sponsor of the...of the total bill then, I guess that's Senator Joyce, in this case, a question? Would he have any objection to me putting on some form of amendment that does give a right of referendum, because when you start getting the...the government into the construction business, boy, I'm telling you...I mean, George, you...you know,...you know, you're an attorney in some of these areas, you know what a mess they've made out of some of these projects, and I'm wondering maybe we ought to give the citizens a right of referendum on this, and...would...would the sponsor be willing to allow us to put a referendum provision in?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I'm not the sponsor of the bill, I'm the sponsor of the amendment, but I'm...well, I'm sure he's going to say, well,...well, what do you think about it? I...I have not given it that much thought. Let's see where I'm putting this on an amendment, it's got to go over to the House for a concurrence. We're rather...we're running rather late and...at any later date if you want to amend this section, to do that, I certainly would not oppose it but I...time is of the essence now and this project is underway back home and we'd like to move with it. I...I think your concern is...is overly stated, if I might say so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Sangmeister has moved the adoption of Amendment No. 1 to House Bill 2917. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Where are we at? 2921, Senator Egan. Okay, the bottom of page 23, House Bill 2921. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2921.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan...I mean...wait a minute. Any amendments from the floor?

SECRETARY:

No floor amendments.

HB 2950
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2950, Senator Sangmeister. Read the bill, Mr. Secretary, please. 2950.

SECRETARY:

House Bill 2950.

(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 Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. This is the...the employee's right-to-know legislation, and this...the purpose of this bill and of this amendment is to take certain employers out from underneath the Act; and after much negotiations back and forth, we have come up with...with excluding employers who have five employees or more than five employees exclusive of the employer's parents, spouse, child or other members of his immediate family, and I would move for the adoption of that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Sangmeister moves the adoption of Amendment No. 1 to House Bill 2950. Any discussion? Senator Keats.

SENATOR KEATS:

Just for the awareness of the empty chairs here, this is a fairly substantial amendment, and I would hope if anyone is listening to this right now, they would get themselves back to the Senate pretty quickly 'cause it may end up a verified amendment. In fact, Senator Bloom, in particular, this is something you're interested in. So, if anyone is listening, I

hope you heard that. The problem with this specific amendment from a...a...this...point of view, we're talking about the right-to-know bill that has not yet taken effect. We're now changing partially who's covered by it. Now, business has compromised three times already. They started originally that anybody with twenty-five employees or less was excluded, then they gave in on that and agreed to ten or less...they agreed with Representative Madigan that ten or less would be fine, labor opposed it, so now were down to five people and twenty part-time. Now, I believe we're removing the twenty part-time. I mean, you reach a point where we say, how small a business do we want to cover? If we allege that there is some interest in the problems of small business, and if you think back, we just had a conference in Springfield where...well, I was not invited to speak there and most of you were not either. Our..our leadership did say, hey, we're all concerned about small business, let's try and be helpful. We understand that the government intends to harass a little more than the mean to, even accidentally. We're reaching a point today where we are now including, under the provisions of the right-to-know legislation, companies so small that...I mean, you know, five full-time employees, that's not exactly what you and I would call a giant corporation. The part-time employee waiver is being removed and I'm just saying, and I'm...I'm hoping the...the other gentleman who has worked with the amendment will be here, hopefully, in a moment to finish explaining that specific problem.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Mine was a question. I was trying to listen, Senator Sangmeister, as you described what the amendment did, and it sounded to me like what the bill did...initially, and I guess I'm just confused about...is

this different from what we voted out of the Senate Executive Committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, it is slightly different than what we voted out of the committee. First, let...Senator Marovitz just brought it to my attention and it's right, this is the...the access to personnel records and not the...what I alluded to and, Senator Keats, I don't know if that confused you or...well,...what we voted out of committee, as I recall, was twenty or more employees. Now we're taking out the part-time employees out of it and staying with just the five or more full-time employees plus members of the families. We took the part-time employees, that's the answer to your question between the difference in committee and what this amendment is that's offered on the Floor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just to further clarify for Senator Keats and...and Senator Sangmeister, this is not the right-to-know bill. This has nothing to do with the right-to-know bill which is the bill I sponsored last year. It has to do with carcinogenics in the work place. This is the access to records legislation, and I also want to make one other statement. I...I know of no opposition to labor at this time. I have not heard of any opposition, and not hearing of any, I'm going to assume there isn't any, 'cause if this is a major issue to them and...and perhaps Senator Netsch could correct me if I'm wrong, I suppose we would have heard. I have not heard or been communicated to about any active opposition on this particular amendment. I know they have other desires but I'm talking about this particular amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Grotberg.

SENATOR GROTBBERG:

Well, thank you, Mr. President. To elucidate the gentleman who just spoke, I'll tell you as a guest at the Chicago Association of Commerce and Industry, the Illinois Manufacturers, the car...car and truck dealers, retail merchants, the Illinois State Chamber of Commerce, National Federation of Independent Businesses, Caterpillar, Montgomery Ward, Sears, Robuck, Standard Oil and a long list of those, and it surprises me that the distinguished gentleman...wrong man, well, we got you out here anyway, Press.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Grotberg wishes to expunge his...no...further discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President and fellow Senators. I'm in an awkward position as the joint sponsor of this in that this...this amendment, the right to...presently, as this bill exists, it has the same language as the right-to-know bill. Okay, now by this amendment, we're ratcheting it down further and embarking on a different definitional standard and this troubles me. It troubles me a great deal because I think then what we say to the private sector, and I'm thinking of Grace and Elmer which is my shorthand term for small businesses, we're saying to them, fine, you got two different definitional standards, and I can then see and everyone in this room can see them coming back and whipsawing us and saying, you know, you got one set of definitional standards over here and another set over here, and to a degree the smaller businesses are getting whipsawed; and there are operations that have part-time employees, high school kids that work over the summer and things like that and what you're doing is taking, basically, pretty casual operations. You

know,...one of the problems we have as policymakers is that when we use the words big business, big labor or business and labor, we tend to think in terms of the Caterpillars and the UAWs, and as a practical matter, most of the business operations in our districts are small...smaller operations and what...what you're...what we would...are doing, and this troubles me, by this amendment is really...using a different definitional standards that I'm sure we're going to hear back from our constituents about, A; and B, casual operations...
PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Bloom, just a moment. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR MAROVITZ:

We are talking about two different amendments, and what Senator Grotberg got up and spoke against...what Senator Grotberg got up and spoke against is not the amendment that we are considering right now. The sheet that has been passed out does not deal with this amendment, and I think that it'll save us some time if we talk about this amendment and not what may happen subsequently. Senator Grotberg, you're talking about a different amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Bloom, you may conclude.

SENATOR BLOOM:

...I was going to bring my remarks to a conclusion. Senator Grotberg may have, but I'm addressing this amendment which takes it down to five employees or five employees exclusive of the family, and there are a lot of operations that use seasonable...seasonal help and that use part-time kids and use high school students, and I'm saying that we're

not doing...we're not doing the smaller businesses any favor by adopting this amendment, and it really troubles me and I'm having a hard time supporting it. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Netsch, for a second time.

SENATOR NETSCH:

Thank you. I think now either we're confused or you're confused or everybody is confused, Senator Blcom. As I read the amendment, as well as our analysis, this would actually remove from coverage of the Act a...a very substantial number of employers. The figure that we were given is from forty to fifty percent. The amendment is supported, as I understand it, by the Small Business Federation for that very reason. Obviously, it would remove that...if it did remove that large a number. I think it was intended to...to lift the...the onerous burden, if indeed it is that, from a large number of those size employees. Now, you know, you can object to it because you think everybody no matter what their size ought to allow their employees access which is a different point of view, but I think from the point of view that you're expressing,...it...it's exactly the opposite.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further...

SENATOR NETSCH:

And for that reason, you know, it...well,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right,...further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I think we need some point of clarification here. I...I don't know where this is coming from from the other side, but I sat as we always do in these negotiations and get browbeated by everybody. Now it's my understanding that the National Federation of Independent Business people have put

their okay on this amendment. They may not be that happy with it, but they've put their okay on this amendment. I finally got labor to agree to this. Now labor would like to put a lot of other things in here that I said I'm not going to sponsor and apparently nobody else has filed those amendments either, but it's my opinion that this amendment is to go on as agreed, it's to be sent back to the House for concurrence or whatever may happen over there. Now, if you've been given other marching orders over there, I would like somebody to have been the courtesy of telling me that this amendment is not going to be agreed to.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Fawell, for the first time.

SENATOR FAWELL:

Thank you, Mr. Speaker...I am getting very confused about what amendments are which and, frankly, I'd like to have a copy of them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis, for a first time. Whoop, Senator Fawell, for what...for what purpose do you arise?

SENATOR FAWELL:

That's...that's a request that I would like to have a printed copy and I would like to have it distributed on the floor, and I need five Senators but I think I can get them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Fawell has made a request that the amendments be distributed and, in fact, the rules provide that if she's joined by five...members, they, in fact, will. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, so that we don't lose where we're going on this bill,...and when that's been, I would like leave to come back

HB 3092
2nd Reading

somewhere on the order to...to handle this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave...with leave of the Body, we will take...

SENATOR SANGMEISTER:

Meanwhile, Senator Bloom, I'd like to speak to you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...with leave of the Body, we'll take House Bill 2921 out of the record...2950 out of the record...House Bill 2950 out of the record, at which time the Pages will, in fact, distribute a copy of the amendment to the respective members. If leave is granted, we will take it out of the record and return to it shortly. Leave is granted. House...top of page 24, House Bill 3057, Senator Hall. 3060, Senator Jerome Joyce. 3065, Senator Etheredge. 3069, Senator Etheredge. 3083, Senator Etheredge. 3090, Etheredge. 3092, Bloom. Senator Bloom, 3092. All right, on the Order of 2nd Reading, the middle of page 24, House Bill 3092. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3092.

(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 Jeremiah Joyce, Savickas, Degnan and Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. Mr. Secretary, so that we...we put these on in the right order, are we looking at now LRB 83076879JDVAM01? Okay. Thank you, Mr. President and members

of the Senate. Amendment No. 1 to House Bill 3092 mandates all hospital...that all hospitals within a year comply with the rules and regulations of perinatal care established by the Department of Public Health. This amendment is proposed by the House Committee on High Risk Infants and Newborns which was created by House Resolution 435 to examine the methods to improve the care and treatment of seriously ill and disabled newborns. The purposes of this amendment is ensure Statewide perinatal care coverage. The...I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, Senator Jeremiah Joyce has moved the adoption of Amendment No. 1 to House Bill 3092. Is there any...any discussion? Senator Bloom.

SENATOR BLOOM:

All right, is...as I understand it, there will be three amendments. One of those amendments the department opposes. If you could tell me which one it is the department opposes, I will oppose it and the other two I will support, but I had...can you assist me, Senator Joyce?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

This is it.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Bloom.

SENATOR BLOOM:

Well, therefore, I would rise in opposition. Our...the department's concern is that they will have these further duties imposed upon it without the necessary revenue to carry it out, and it is the feeling of the department, therefore, that probably the Governor would veto this portion of the legislation and, therefore, they've asked me to oppose it. So, thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator...Senator Joyce moves the adoption of Amendment No. 1 to House Bill 3092. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2 offered by Senators Jeremiah Joyce, Savickas, Degnan and Lemke. And, Senator Joyce, this is AM02.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. The...neither the department or the Illinois State Medical Society oppose this amendment. This amendment revises the standards for hospitals and maternity centers in the review, management and treatment of high risk pregnant women and newborns. It requires the Auditor General to examine the IDPH's and IDPA's reimbursement system for perinatal care. This amendment is proposed by the House Committee on High Risk Infants and Newborns which was established by House Resolution 435...I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Joyce has...Senator Joyce has moved the adoption of Amendment No. 2 to House Bill 3092. Any discussion? Senator Bloom.

SENATOR BLOOM:

Wish we could have had a roll call on that last amendment. On these two the Department of Public Health has no objection and...on the next one, I have not heard from the Department of Children and Family Services.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, you'll have to speak louder if you request a roll call, 'cause the Chair did not, in fact, acknowledge

such a...a request. Senator Jeremiah Joyce has moved the adoption of Amendment No. 2 to House Bill 3092. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3 offered by Senators Jeremiah Joyce, Degnan, Savickas and Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Amendment No. 3 to House Bill 3092 redefines neglect in terms of suspected medical neglect involving newborn or infants. The Department of Children and Family Services supports this amendment. I move its adoption at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce has...moved the adoption of Amendment No. 3 to House Bill 3092. Those in favor...any discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3096, Senator Sommer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 3096.

(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.

HB 3110
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3099, Senator Kustra. The bottom of page 24, there is House Bill 3099. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3099.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Labor and Commerce offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTBA:

Thank you, Mr. President. This amendment has been agreed by labor and management. It's a clean-up amendment. It makes the bill conform to Federal law. I'd move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra has moved the adoption of Committee Amendment No. 1 to House Bill 3099. Is there any discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading...I mean, any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3102, Senator Bloom. Senator Bloom on the Floor? Page...top of page 25, 3110, Senator Savickas. Top of page 25, there is House Bill 3110. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3110.

(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)

Any amendments from the Floor?

SECRETARY:

Amendment No...Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill...this amendment would make it absolutely clear that the private colleges and universities are exempt from the provisions of this bill, and it also deals with tuition refunds. It sets out guidelines for the refund policy and allows the Statute to be conformed within two ways; conformance with the State Board of Education rules and regulations which is necessary; also a conformance with the refund policy standards established by a nationally recognized accrediting agency designed by the Secretary of the United States Department of Education. Senator Nash moves for its...no, I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator D'Arco has moved the adoption of Amendment No. 1 to House Bill 3110. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3165, Senator Jones. Senator Jones on the Floor? 3204, Senator Bloom. 3221, Senator Kustra. Middle of page 25, House Bill 3221. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3221.

(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 Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Amendment No. 1 is clean-up language to last year's work sharing legislation. The amendment was considered in committee but at that time there was not an opportunity for everyone to sign off on it. Now both staffs, both sides of the aisle, labor and management have all done so, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Kustra has moved the adoption of Amendment No. 1 to House Bill 3221...any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3255, Senator Carroll. All right, House Bill 3255. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3255.

(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...Senator Etheredge was off the Floor, has requested that we return to his bills on page 24. I assume, Senator, you're talking about 3065 and 3069. With leave of the Body, we will return to page 24, the Order of 2nd Reading, House Bill 3065. Is leave granted? Leave is granted. On the Order of 2nd Reading, House Bill 3065. Mr. Secretary, read the bill.

END OF REEL

HB 3069
2nd Reading

REEL #4

SECRETARY:

House Bill 3065.

(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 3069, Senator Etheredge. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 3069.

(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 Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 1 takes the...those noncontroversial sections of Senate Bill 3062 and amends them into 3069. I think there...have been a number of...ongoing discussions that have taken place since the Revenue Committee meeting at which 3062 was originally presented, and the amendment that I'm presenting now is an agreed upon amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Etheredge has moved the adoption of...Amendment No. 1 to House Bill 3069. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The

Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2, by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Amendment No. 2 is a technical amendment, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Etheredge has moved the...adoption of Amendment No. 2 to House Bill 3069. Any discussion? If not, 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. With leave of the Body, we will...Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Philip and I had an opportunity to meet early this morning with the House leaders and indicated to them that it was our desire that we not be in Session this weekend. So the schedule as we now view it, we will work today until about five-thirty and then we'll start again at ten o'clock tomorrow morning and work again until five-thirty; and on Friday, we will attempt to conclude our business at three o'clock, to return to Springfield on Monday morning at ten. Now, obviously, we are confronted with deadlines, as is the House, so that bills that are to be moved from 2nd to 3rd will have...that will have to be done on Friday, because Monday then is the deadline day for substan-

JB 1424
Concurrence

tive of bills. So while we have a...quite bit of work yet to do, I think it was the consensus among the leadership that rather than compete with the fancy car people...I understand there's fifty thousand of them coming to town this weekend, hundred and twenty-five thousand, I beg your pardon. Well, rather than try to compete, we will just return to our districts and come back Monday fresh and ready to go.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock, do you want to move to the Secretary's Desk?...Senator Rock.

SENATOR ROCK:

...oh yes, there...there...there is a matter of some emergency. Senator Netsch has...has conferred with both Senator Philip and I, on the Order of Secretary's Desk Concurrence, page 31, is Senate Bill 1424. You will recall that is the dramatic overhaul of the Rape Statute, now called the Sexual Abuse Statute. It becomes effective in this State on July 1, and there are a couple of changes that we in the Senate and the House have made, and it seems in everybody's best interest to get this as quickly as possible to the Governor for his action so that when the law becomes effective July 1, everybody will be on the same footing. So, I would ask leave of the Body to go to that order for that purpose.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. With leave of the Body, we will go to the Secretary's Desk Concurrence. Is leave granted? Leave is granted. On page...page 31,...Senate Bill 1424, Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would move that the Senate do concur in House Amendments Nos. 1 and 4 to Senate Bill 1424 and I will just very briefly explain them. The Amendment No. 1 is a severability clause. We have continuously told

the House that we believe it is not necessary because there is already a statutory severability clause, but after discussing it with Mr. Johnston of the...Legislative Reference Bureau and with staff, it...we believe that it does absolutely no harm. It is somewhat differently worded in minor respects from the existing statutory one and it certainly...we agree that there should be a severability clause available. So, that one we think presents no difficulty at all. The second one is a relatively minor amendment that deals with the definition of family member for purposes of several of the sexual abuse or assault offenses, and it adds a step-grandparent into the definition...which is quite consistent with the earlier part of the definition. So both are relatively minor amendments. All the rest of the changes the Senate fully debated when the bill left here. I would therefore move that the Senate do concur in Amendments Nos. 1 and 4 to Senate Bill 1424.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Netsch has moved to concur with House Amendments 1 and 4 to Senate Bill 1424. Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

...sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

She indicates she will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

...since I don't have a copy of the conference report, I would like to just be sure that I know what I'm voting on. Your Amendment 1 from the House then is simply a...states a severability clause. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Yes, it is not a conference report, by the way, they are

two amendments that the House added to the bill after it left here. But the first one is, as you indicated and as I indicated, a severability clause.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

And the...now the original bill did...I can't recall it. Did we have anything about a step-grandparent in it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

The...well, it was a little bit...what we had said was family member means a parent, grandparent or child whether by whole blood, half-blood or adoption and includes but is not limited to step-parent or step...child and it was the House that said we...to make it all a clear, consistent pattern, we should add a step-grandparent, step-parent or step-child. That was the change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

...alright, that clarifies it. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Netsch has moved the Senate concur with House Amendments 1 and 4 to Senate Bill 1424. Alright. The question is, shall the Senate...those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur on House Amendments 1 and 4 to Senate Bill 1424, and the bill having received the required constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. I now would suggest and ask leave of the Body that we return to the Order of House Bills 3rd Reading, and for the benefit of the members, perhaps we can give them a couple of minutes to get together. We will start where we left off in the middle of page 10 with House Bill 2832. So that the first sponsors are Senators Etheredge, Degnan, Grothberg, Weaver, Schaffer, D'Arco, Jerome Joyce. We will proceed just through the Calendar and I would urge, since we are not going to be here this weekend, if we can move as expeditiously as possible, it would be helpful.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. With leave of the Body, we will return to the Order of House Bills 3rd Reading. Is leave granted? Leave granted. On the...House bills 3rd reading...middle of page 10, House Bill 2832. Senator Netsch. Read the bill, Mr. Secretary, please. Alright. I'm sorry, Senator Etheredge. Senator Etheredge is the principal sponsor. Alright. He wishes it...wishes held. Alright. House Bill 2853, Senator Degnan. It's on recall. House Bill 2857, Senator Grothberg. House Bill 2865, Senator Weaver. Alright. Bottom of page 10, House bills 3rd reading is House Bill 2865. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2865.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. It does just exactly as the Calendar states. It...removes the mandatory participation in the retirement system for residents in medical training and postdoctoral research associates at State universities. If

there's any questions, I would try...will try to answer them; if not, I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Any discussion? Any discussion? If not, the question is, shall House Bill 2865 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. House Bill 2865 having received the required constitutional majority is declared passed. Alright. House Bill 2869, Senator Schaffer. House Bill 2873, Senator D'Arco. Top of page 11 is House Bill 2873. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2873.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. As you know, gang activity is a serious problem in the State of Illinois and this is an attempt for law enforcement to deal with that problem. What the bill does is amend the Civil Administrative Code to require the Division of...of Criminal Investigation and Department of Law Enforcement to maintain a computerized record available to all Illinois peace officers of organizations and gangs and their members engaged in criminal activity. The reason for this bill is to allow law enforcement to pinpoint areas where gangs are running rampant and engaged in criminal activity and to learn the names and the associations of these people in order to deal with the problem. And I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Any discussion? Any discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Philip.

SENATOR PHILIP:

I'm just wondering...I know that was somewhat a controversial thing in regards to Department of Law Enforcement. I'm just asking, Senator, have you satisfied all of their problems in regards to computer problems and record problems et cetera? What...what is the Department of Law Enforcement's position at this point?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

I haven't heard from the Department of Law Enforcement, Senator. I assume that whatever problems they had had...have been corrected because I haven't heard from them that they have a problem, and I don't know if anyone else has heard from them, but I don't think there's a problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House Bill 2873 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. House Bill 2873 having received the required constitutional majority is declared passed. 2876, Jerome...Senator Jerome Joyce...Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

My switch doesn't work. I turned it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. House Bill 2883, Senator Watson. Alright. On the Order of House Bills 3rd Reading is House Bill 2883. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2883.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. House Bill 2883 sponsored by myself and Senator Marovitz amends the Insurance Code to clarify that insurance carriers can provide discounts on automobile liability insurance policies for policyholders who have a child restraint...passenger restraint device. It also authorizes the insurance carriers to provide discounts on the purchase price of a child passenger restraint. Currently, they...there's a section in the Insurance Code which prohibits this type of process, and the Department of Insurance asked that this be introduced. I know of no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 2883 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Leroy. 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 2883 having received the required constitutional majority is declared passed. 2884, Senator Bruce. Okay. On the Order of 3rd...House Bills 3rd Reading, 2884. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2884.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. This changes the filing fee for tax deeds when a sheriff provides a tax deed. There was a different cost involved between thirty and forty-five dollars, raises the fee from thirty dollars to forty-five. There was...it corrects a discrepancy in the way that tax deeds are handled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 2884 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 2884 having received the required constitutional majority is declared passed. 2887, on the recall list. 2892, Senator Bruce. Read the bill, Mr. Secretary, please. 2892.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2892.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. 2892 is a bill that has been seen by this Body, it is in identical form. It is the thirty-five hundred dollars that we have passed to pay for the circuit clerks to their offices for the additional work we placed upon them in the Marriage Act and the Family Violence and the whole series of other particular

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3rd reading

collections they make for traffic tickets and others. We passed it out of here, we put an amendment on which solves the problem with the Cook County Circuit Clerk. They are now in reasonable agreement. I would ask for your favorable vote. I believe the Senate bill went out of here without opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Any discussion? Senator Coffey.

SENATOR COFFEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Coffey.

SENATOR COFFEY:

...Senator Bruce, I don't recall when we talked about the...the bill...the Senate bill...does this impact the State of Illinois...is the State of Illinois paying this cost?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

As I read it, Senator, I believe that we will pick up the cost, and the cost is approximately three hundred and fifty-three thousand. The collections that they are making now far exceed that. I mean, it's...it is a net plus for the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Coffey.

SENATOR COFFEY:

Yes, well, I...I rise in favor of the bill then if...if the State of Illinois in fact is going to pay the cost. I think that's the way it ought to be if we're going to pass the legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion?...further discussion? Senator Bruce may...question is, shall House Bill 2892 pass. Those in favor vote Aye. The opposed vote Nay. The voting

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3rd reading*

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, 1 voting Present. House Bill 2892 having received the required constitutional majority is declared passed. House Bill 2896, Senator Schuneman. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2896.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. House Bill 2896 does a number of things. First of all, the bill was introduced so that it would reauthorize that credit unions may provide group insurance to their members. It also clarifies that provision regarding the method by which premium rates are charged for unemployed workers exercising their conversion privilege, and remember, we passed that legislation last year. That part of the bill passed out of the House with an vote of 108 to nothing. The bill has been amended here in the Senate to include the provisions that were in Senate Bill 1867 which after passing the Senate got hung up in the House Rules Committee, and those provisions provide that no company may write additional accident and health insurance when the company's policyholder's surplus is below a certain amount without giving prior notice to the director of insurance, that's to try to make sure that the director is notified when insurance companies begin to get into trouble by writing more premium than they...their surplus will accommodate. It also imposes a maxium risk ratio of annual premium volume to policyholder's surplus. It also makes two technical changes in the standard valuation and nonforfeiture law that we

passed last year, and, also, it makes those changes in the uninsured motorist property damage bill that we adopted here in the Senate. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As I recall Senate Bill 1867, it was not without controversy and just barely, as a matter of fact, made it out of this Chamber and has now been held up in the House Rules Committee, for what reason I know not. Will...will you elaborate on what we are doing to the uninsured motorist coverage by virtue of this House bill as amended?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Before we get to that, Senator, Ira Fiddler of Central Illinois Public Service Company in Springfield requests permission to obtain videotape footage from the center gallery and the purposes is internal employee communications. Is leave granted? Leave is granted. Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, Senator Rock, the changes that are made to the uninsured motorist property damage coverage stem from the fact that we passed that law last year that would require that that coverage be mandatory, that it would have to be on every policy of insurance. That...the implementation of that law was enjoined by the Circuit Court of Cook County, as a result of...a few insurance companies who apparently write insurance primarily within the City of Chicago, and the court enjoined the director of insurance from enforcing that original uninsured motorist property damage law. This bill is an attempt to resolve those problems and it does a number of things. First of all, the...the uninsured motorist damage...or uninsured motorist property damage would no longer be mandatory. Instead, the bill requires that the company make an offer.

The companies have to write the coverage and offer it to people. Secondly, it raises the minimum uninsured motorist property damage coverage from five thousand dollars to ten thousand dollars. Originally, I wanted it to be five thousand dollars in order to try to hold the cost down. Now that companies are only going to be required to make the offer, they can offer any amount they want beginning with the usual minimum of ten thousand. It also...the other change, and I think this is where some of the controversy may have come in, it also requires that now in order to collect under uninsured motorist property damage, the uninsured motorist must be identifiable, and I think those are the three principal changes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

...it's that last provision that I...that, frankly, has me a little wary. Explain that one to me again. How...how...if...if I am...well, just, if you can, explain that to me, I just...I'm...I'm not sure I understand what we're getting at here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay. First of all, let's understand who we're talking about. We're talking about an automobile owner who does not carry collision insurance on his own car. This is probably the second car in a family or something like that, and what we envision here is that that person will be able to buy insurance on...on that car against the uninsured motorist only, doesn't cover anything else, just against the uninsured motorist for a very small premium; for example, downstate maybe four dollars a year. The argument was made and, frankly, it came out of Chicago, the argument was made that

if we allow the coverage to be written so that you don't have to identify who hit your car that...everybody that buys this coverage is going to say, well, it was hit by an uninsured motorist even though it may have been damaged in his own garage. And if that happens, then the premium rates will go so high that people will...might as well buy collision insurance. So it was with that understanding that the agreement was reached among the various parties to this that probably what we should do is require that it be an identified uninsured motorist, so that the result of that is that if your car is involved in an accident and you know who the person is, certainly they're identifiable. If your car is parked and somebody hits it and goes on, you might not be able to identify every one of those people but some of them you can, because...they'll get auto licenses, and I really think that it's a...that's it's a reasonable compromise between what we originally wanted and what we can accomplish.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you. As...with your explanation, as I read it, it appears pretty reasonable. I...I...it is new coverage and I guess we can reexamine it if it doesn't work.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 2896 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, 1 voting Present. House Bill 2896 having received the constitutional majority is declared passed. House Bill 2898, Senator Watson. Read the bill, Mr. Secretary. For what...for what purpose does Senator Smith arise?

SENATOR SMITH:

Thank you. Mr. President, I wanted the records to show, please, that I'd been here 2892, I would have voted Yes. Would you please record that as such?

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will so indicate. Senator Watson.

ACTING SECRETARY: (MR. FERNANDES)

House Bill...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

...House Bill 2898.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Demuzio seek recognition?

SENATOR DEMUZIO:

I was...I was going to speak on this next bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This bill amends the hospital district law and allows directors to have professional interest in the hospital. Currently, the Act reads that no person shall be appointed to the board of directors of any hospital district who has financial or professional interest in the establishment. We are striking professional...or professional so that a...physician or someone who has a professional interest in the hospital can serve on the board. Hospital Association, the Medical Society all are...are in support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I just had a question...it sort of struck me when I

read it. The synopsis in the...on page 11, that what we were attempting to do here was to allow for some person who is a professional, and I understand professional is not defined within the Act, to become a...an active participant...on a hospital board...is that a for-profit hospital included as well as not-for-profit?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

I honestly can't answer that. This is the...it's under the hospital district law which I think is...there's only a few hospitals this actually affects. Township hospitals primarily is...we have a township hospital in my district which this is this for.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I...I...I wish...perhaps since the professional interest is not really defined, I don't understand why we are doing this. I mean, is there a particular problem in a particular hospital that there is some doctor that wants to be on the hospital board, that's being precluded from being on there or what?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

That...that's the case that's being interpreted...by my people in my district that a physician cannot serve on the hospital board because of this particular language.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I'm not sure we want that to happen, but I accept the gentleman's explanation. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 2898 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 54, the Nays are none, 2 voting Present. House Bill 2898 having received the constitutional majority is declared passed. House Bill 2913, Senator Darrow. House Bill 2926, Senator Chew. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2926.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2926 as amended basically does three things. It increases the salary for the Secretary of State Merit Employment Commission, the chairman from seventy-five hundred to ten thousand, the members from five thousand to seven thousand five hundred. Amendment No. 1, by Senator Donahue, would allow people who are in veterans' hospitals and hospitals to have a free Secretary of State identification card. Amendment No. 2 from Senator Chew would allow the director of personnel to have some political...hold some political office. I see no objection. I'd be happy to answer anybody's questions; if not, I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 2926 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 56, the Nays are none, none voting Present. House Bill 2926 having received the constitutional majority is declared passed. House Bill 2927, Senator Sangmeister. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2927.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. I believe it was last Session or two Sessions ago, we passed a bill here to authorize the manufacture of license plates through our prison system in the State of Illinois. Apparently the Department of Corrections I don't think was too happy with the bill but was willing to go along with it but, anyhow, they never got geared up to manufacture our license plates, so the Secretary of State turned to having them manufactured by handicapped people and that's very hard to argue with. So what this bill simply does is puts the law into the position which the Secretary of State is now doing and that is to allow him to either go to the prisons or the handicapped to have the license plates made, and I would solicit your favored support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 2927 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? (Machine cutoff)...the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2927 having received

the constitutional majority is declared passed. House Bill 2934, Senator Davidson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2934.

{Secretary reads title of bill}

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is a bill for the Secretary of State's Office Police who when they're doing covert or under...undercover work that they can have a regular license plate and don't have to have the car identified as a police vehicle. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 2934 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 57, the Nays are none, none voting Present. House Bill 2934 having received the constitutional majority is declared passed. House Bill 2936, Senator Davidson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2936.

{Secretary reads title of bill}

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is another Secretary of State bill which will give us a chance to save some money. The present law says that the Secretary of State

or the State Library should have twenty copies of the Supreme Court and appellate court reports deposited there; they only need two and this bill makes the Statute read two which is sufficient number. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 2936 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, none voting Present. House Bill 2936 having received the constitutional majority is declared passed. House Bill 2937, Senator Davidson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2937.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is another bill for Secretary of State's Office. It would allow the Secretary of State to designate someone other than himself to serve as the member and chairman of the Secretary of State Travel Control Board. Present law says that he must sit as the chairman of this board and review and this was...came from recommendation from internal audit suggestion of the office. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 2937 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 52, the Nays are none, none voting Present. House Bill 2937 having received the constitutional majority is declared passed. House Bill 2946, Senator Nedza. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2946.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The bill is exactly as it's purported to be on your Calendar. There was some controversy whether the Department of Public Aid can do this under their administrative rules. This resolves the problem. The House and Senate Public Health and Welfare, Corrections Committee are endorsing this bill. The Department of Public Aid has taken no position on the bill. That's all the bill does, and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 2946 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 55, the Nays are 1, none voting Present. House Bill 2946 having received the constitutional majority is declared passed. House Bill 2952, Senator Schuneman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2952.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. House Bill 2952 is a twin to the Senate bill that outlawed exit polling within one hundred feet of the polling place. It's exactly like the bill that passed out of the Senate. The Senate bill got hung up in the House Rules. This is the House bill. We've amended...amended it into exactly the version that was passed by the Senate. That's all it is. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 2952 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 10, 1 voting Present. House Bill 2952 having received the constitutional majority is declared passed. House Bill 2953, Senator Darrow. House Bill 2962, Senator Degnan. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2962.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 2962 authorizes the Secretary of State to award grants for the purpose of constructing a public library and library systems buildings. The grant is to be awarded on a local contribution basis with the State paying twenty-five percent and the local library paying seventy-five percent. Not more than fifty percent of the grant each year is to be used for construction of the new Chicago Public Library as a research and reference center for

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the State. This is the third year of a continuing program of public library construction funding. Be happy to answer questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 2962 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 55, the Nays are none, none voting Present. House Bill 2962 having received the constitutional majority is declared passed. House Bill...for what purpose does Senator Demuzio arise?

SENATOR DEMUZIO:

Yes, thank you, Mr. President. On House Bill 2952, I inadvertently hit my green switch when I wanted to hit my red switch, so I would like the record to reflect that had I...alert, I would have hit my red switch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Let the record show Senator Demuzio is copping out for his local newspapers. 2992, Senator Demuzio. House Bill 3026, Senator Maitland. Oh, on...just in case the record didn't indicate, on House Bill 2962, it received the constitutional majority and is declared passed. House Bill 3026, Senator Maitland. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3026.

{Secretary reads title of bill}

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr...Mr. President and Ladies and Gentlemen of the Senate. Despite the...the...the large size of this...of this particular bill, it's a very simple piece of legis-

lation. It's a product of the Pension Laws Commission, a lot of time, a lot of work gone into the bill. It's a recodification effort and it deals with certainly obsolete language, et cetera and addresses the General Assembly Retirement System, the Downstate Policemen Pension Fund, the Downstate Firemen's Pension Fund, the State Universities Retirement System, the State Teachers' Retirement System and a Judges' Retirement System. This bill came out of Rules, there was an agreement that there would be no amendments put on it. It's was...it's a very simple bill, and I...I seek your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DeANGELIS:

On what page is Harber Hall in there?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Since there's no further discussion, the question is, shall House Bill 3026 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 3026 having received the constitutional majority is declared passed. House Bill 3027, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3027.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, this bill is to correct an...unfortunate error that occurred in 1935 when certain land that was located in Lake County was conveyed to the State of Illinois, the Department of Conservation; and after the conveyance it was discovered that the deed of conveyance contained an error in its description, and because of this, the land under part of the home of an elderly couple, Thomas and...Eileen McGuire, was erroneously transferred to the State, where as there was no intention by the State, either in the State...that that be the case. So, I ask for a favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 3027 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 3027 having received the constitutional majority is declared passed. House Bill 3034, Senator Degnan. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3034.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 3034 does exactly as indicated in the Digest. It amends the Cook County Forest Preserve Act to raise a competitive bidding threshold from four to ten thousand, and it permits appropriation transfers within the same fund between accounts. If there are any questions, I'd be happy to answer them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 3034 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 1, none voting Present. House Bill 3034 having received the constitutional majority is declared passed. Obviously, for the record, someone must have pressed Senator Rock's button, and it was pressed in the negative. House Bill 3035, Senator Nedza. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3035.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The bill is exactly as it appears on the Calendar and it was requested by the County of Cook, and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Philip.

SENATOR PHILIP:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He will.

SENATOR PHILIP:

I'm assuming this is going to cost lawyers from three to seven dollars more when they want to use the law library, I'm hoping.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip...I mean, Senator Nedza.

SENATOR NEDZA:

No, Senator, it's going to go from four to seven, not three to seven. But it will cost them a few dollars more, yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

With that guarantee, if there's no further discussion, those in favor of having House Bill 3035 pass will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 2, none voting Present. House Bill 3035 having received the constitutional majority is declared passed. House Bill 3037, Senator Lemke. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3037.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LEMKE:

What this...what this bill does is defines properties which relate to the transportation or shipping by rail to include all portions of a facility which handled the hazardous materials ultimately transported. This is similar to bill...Senate Bill 1953. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 3037 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 53, the Nays are 2, none voting Present. House Bill 3037 having received the constitutional majority is declared passed. House Bill 3038, Senator Joyce. Read the bill, Mr. Secretary.

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ACTING SECRETARY: (MR. FERNANDES)

House Bill 3038.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This bill is the...creates the Illinois Health and Hazardous Substance Registry. It is virtually the same as the bill that...the Senate bill that we passed out of here. It does not have the cigarette tax included in it is about the only difference. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Fawell.

SENATOR FAWELL:

...according to our analysis...will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

According to our analysis, it says this is going to cost eight million dollars for the first three years. Is that eight million dollars coming out of...general revenue funds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, we have an appropriation in and...and our figures show it will cost 1.7 million.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

You...you don't have any idea why the discrepancy between the two staff analysis?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

No...this came from the department's fiscal note.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell. Is there further discussion? If not, the question is, shall House Bill 3038 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 5, 3 voting Present. House Bill 3038 having received the constitutional majority is declared passed. House Bill 3039, Senator Welch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3039.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill is the same as the bill we passed out earlier in the Session, Senate Bill 1943. What this bill does is prohibit the financing of any project involving the operation of hazardous waste disposal sites unless that site is also involved in treatment, recycling, gas recovery or reclamation. I would be glad to try to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 3039 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 53, the Nays

are none, none voting Present. House Bill 3039 having received the constitutional majority is declared passed. House Bill 3040, Senator Holmberg. Read the bill, Mr. Secretary.

END OF REEL

REEL #5

SECRETARY:

House Bill 3040.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill amends the Environmental Protection Act to authorize the agency to issue permits allowing waste...allowing operators of treatment, storage and disposal facilities to receive waste from multiple generators. This is identical to the bill we passed from the Senate unanimously, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 3040 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 56, the Nays are none, none voting Present. House Bill 3040 having received the constitutional majority is declared passed. House Bill 3041, Senator Holmberg. House Bill 3042, Senator Welch. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3042.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill is similar to a bill we passed out earlier, Senate Bill 1946. What this bill does is require the Pollution Control Board to repeal existing rules and regs. requiring manifests for shipments of nonhazardous special waste and requires the adoption of new regulations requiring annual reporting. We amended this bill which was the House bill version to specify that this shall not be construed as prohibiting any company from requiring in manifest. The purpose of this bill is to try to begin eliminating some of the special waste chemicals, try to move them into the hazardous waste category or move them into a category where they don't have to be manifested as all...at all, perhaps they were nontoxic.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 3042 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 3042 having received the constitutional majority is declared passed. House Bill 3043, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3043.

{Secretary reads title of bill}

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

A quick explanation, Mr. President and Ladies and Gentlemen of the Senate. This bill is identical to Senate Bill 1944 that we passed out of here with the following

exception, that a representative of the Illinois Emergency Services Management Association is also added to the Hazardous Materials Advisory Board which, in fact, would bring that total membership from nine to twenty. If anyone seeks a further definitive explanation, I would be glad to provide one; otherwise, I would move for the...the adoption of House Bill 3043.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senate...the question is, shall House Bill 3043 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 50, the Nays are none, 1 voting Present. House Bill 3043 having received the constitutional majority is declared passed. House Bill 3045, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3045.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, Mr. President. Again, this is a...a bill that's identical to House Bill...or Senate Bill...Senate Bill 1940 that we passed out of here. It requires the EPA to publish the list of...of all notices of hazardous waste violations. That is it in its simplistic form, and again, I'd be glad to respond to any questions if there are any. If not, move for the adoption of House Bill 3045.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, is this the bill that came before the Executive Committee where we had some discussion about the problem that there would be a list of violators published even though some of those violations may not have been accurately described as violations? Is this...is this the same bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

The bill was before the Agriculture, Conservation and Energy Committee...but...

SENATOR SCHUNEMAN:

But...but is the issue the same? It...it seems to me that publication of companies that are deemed to be in violation even though that violation may later prove...or the...or the charge might later prove to be groundless may not be treating everybody as fairly as they should be treated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR SCHUNEMAN:

Can you describe a little of what safeguards there may be in here?

SENATOR DEMUZIO:

I am...I am told that the...the industry has pretty much agreed to the substance of the bill as it is now since that...there is, in fact, the publication is only goes out after the notices have been served pursuant to any violations of the subsection from...from which the infractions are...are involved with. Therefore, it is not just a list of those who are found guilty but it is a...through a identification and examination and through evidence searching that the...that the information is therefore given.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well,...okay, I...I have a concern about that and I'm not sure that I understand the bill well enough to...to really question the sponsor, so I think I'll yield to somebody else.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, I believe what Senator Demuzio is referring to is the bill that has now come back, our Senate bill that has found its way back to the House from...on a concurrence now, has been...amended, as I understand, to make it less objectionable. This bill as I see it is equally as bad as the one that we passed out of here when we were dealing with the Senate bills on that whole...package of hazardous waste. We're talking about alleged violators. Now, that didn't seem to alarm too many folks the first time through but the issue is the same. We're still talking about black listing a group of alleged violators.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR DEMUZIO:

Well, thank you, very much, Mr. President. I am, in fact, told that there was some amendment that was put on in the House on the Senate bill that added some additional clarifying language. All this says is that with respect to the notices that are served pursuant to the violations under Subsection A which involved...in hazardous waste or hazardous materials, that the agency simply publishes annually a list of all those...notices that are served which includes the date that the investigation commenced, the date the notice was sent, the date the matter was referred to the Attorney

General and the current status of the matter. That is all that is concluded in the publication notice. Doesn't say anyone is guilty, it just suggests that if, in fact, they're...through the investigatory process, that if a notice is, in fact, served, that it, in fact, is published.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 3045 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 31, the Nays are 24, none voting Present. House Bill 3045 having received the constitutional majority is declared passed. House Bill 3050, Senator Nedza.

SECRETARY:

House Bill 3050.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3050 removes the limitations that may be charged for the use of a revolving credit, and it removes the twenty-five thousand dollar loan limit on installment loans. With respect to the revolving credit, the twenty-five cent per transaction charge and the twenty annual fee limitations are removed and allowed to be contracted for within whatever amount the lender and borrower agree to; and with respect to the installment loans, a twenty-five thousand dollar loan limit is removed. This measure is brought before us by the Illinois Bankers Association which feel that out-of-state lenders that operate in the...in a deregulated fee environment are more competitive and...thereby curtailing their ability to offer higher lines of credit and a variety of

other services, and what they wish to accomplish by this legislation is to have them compete on an equitable basis. If there are any questions, I would be glad to answer them. If not, I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Bruce.

SENATOR BRUCE:

Yes, at the present time, there's a limitation of five dollars on a delinquency fee and I...I understand in a quick reading of this that you removed the...the interest...the...the fee portion of that and that can be...there was a minimum charge of fifteen dollars could be collected instead of interest and now you've removed that. What is the minimum fee because a lot of these are small borrowers? I understand the interest rates, if you get the loan down to a very low limit may not in fact be very much, but that was the agreement between the bank and...and the borrower. Now you're saying, you take off that and...there are a lot of small borrowers that may borrow three hundred dollars to get a stereo or something and pay it off at ten dollars a month and you say when it gets to the end of that, that if this is less than fifteen dollars, they can charge that fifteen dollars per month. That doesn't seem to be part of the installment agreement that they made.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Yes. Senator Bruce, with...some of this is in revolving credit. The revolving credit that the...the...there was an annual fee and a...a transaction charge. That is removed and then that is brought down to whatever the individual agrees to as...as...as far as his revolving credit is concerned. In the installment loans, which are loans that are in the larger numbers, ten, fifteen, twenty, twenty-five, 'cause we'll be

moving to twenty-five thousand dollar cap, that the charge...the delinquent's fee to be charged, that is increased to five percent of the installment or fifteen dollars, whichever is greater.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

But on a three hundred dollar note, at the present time, there's a minimum charge of fifteen dollars; and as I see the way this bill is drafted, that is completely removed, and on page 6, lines 16 through 26, and it seems to me at this point that...and I'm talking particularly about...I'm not worried about the businessman borrower, I'm not worried about the...the person that can...can easily get credit, I'm talking about the person who is, in fact, borrowing small amounts of money and he finds that the only way he can get three hundred dollars to buy a piece of furniture or a refrigerator is at the...the finance company says, in addition to the twenty-one percent interest, and we've taken the interest ceilings off, that we can have a minimum charge of...of so much and a delinquency payment of seventy-five dollars. Is there anything that would prohibit that kind of conduct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Yes, there...there still is the...the agreement between the...the borrower and the lender, that...whatever they agree to. There is a fee or they can just come in with a flat fee. It's whatever they agree to, Senator Bruce, it's not, you know...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

That's in the nature of the problem, Senator, is...is that there is no bargaining. If you are a small borrower from a finance company, they come in and they say, here's the interest rate, here's what we're going to charge for delinquency, seventy dollars a payment or thirty dollars or fifty dollars, and then you either take that or you walk out the door. It's not like you and I go in and sit down and agree mutually that interest rate is going to be a certain amount, and the...note is going to be a certain amount and the payments are going to be over a certain amount. They just say this is it, this is what we'll do for you, and if you miss a payment, it's forty dollars, and I...I just wonder if we don't want to keep in that particular part on delinquent payments that says a maximum delinquent payment is fifteen dollars penalty.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza, we have...this is the order of request for speakers, Demuzio, Kelly and Geo-Karis after Senator Bruce.

SENATOR NEDZA:

Okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR KELLY:

All right. You're removing the limit of twenty-five thousand on installment loans. Now, I want to ask you a question. I know when I came to this General Assembly I was a banker and we dealt with installment loans and that was quite awhile ago, twelve years ago, but installment loan referred to car loans, home improvement loans, as my col-

league here pointed out, dance lessons, in other words, smaller types of loans, and I'm just wondering why, you know...if you're going above twenty-five thousand, that always was a commercial loan, and I can't see why you need a...you know, there ought to be a limit and why you want to take that off because if you go above that, the banks traditionally for years have called...you can pay back on a commercial loan on a monthly basis. They...set up those programs and I'd like to know why you're doing this and what is the need to raise that level up?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

I'm sorry, Senator Kelly, I was in two conversations at the same time, but I think that...part of your question I can answer. If you recall a year or two ago, we...we eliminated the interest cap on everything in the State of Illinois. We just deregulated everything. The banks now are having some competition with other lenders. They feel that the removal of this cap puts them in a better posture of competing for this business. So, it's...it's still the...the final line is is that they're still...it's what the borrower agrees to and if he doesn't like the terms in one particular institution, there are many of these institutions around the State that he can see if he can get a better deal for the want of another word.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I think this bill is a brainchild of the Illinois Bankers Association and it's...that's fine and dandy, but what I think you're doing is really penalizing the borrower, and I...much as I like the sponsor and I rarely speak against

any of his bills, I do not feel justified to voting for a bill that's going to penalize the borrowers because they're paying off their balances monthly and by...by setting no limit on annual credit card fees and so forth, that's part of it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR NEDZA:

Thank you, Mr. President. Still the bottom line still comes down to the individual negotiating his best deal no matter where he goes to. If he goes to the bank, if he goes to a saving and loan association, if he goes to a lending institution such as Household Finance or some of the other institutions that are in our State, they flourish. The banking industry, as...as other institutions have their problems, they would like to cope and compete for the consumer's dollar and I think the consumer is protected by the fact that there is enough competition out there that he can work out his best deal, and I think we have to have some faith in our citizens that they're capable of negotiating the best deal they can for themselves, and I would urge your support on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 3050 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? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 18, 2 voting Present. House Bill 3050...sponsor asks that consideration postponed be given to House Bill 3050. Is leave granted? Leave is granted. House Bill 3050 will appear on the Order of...Postponed Consideration. House Bill 3061, Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3061.

{Secretary reads title of bill}

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3061 permits the representative of a ward's estate or a decedent's estate to invest money in any one or more investment that are listed in the Statutes. Presently, a...which...a bank which is the representative of a decedent's estate can invest in its own C.D.'s but the ward's estate cannot. This legislation simply...extends that to the ward's estates, and I would appreciate the support of House Bill 3061.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 3061 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 53, the Nays are none, none voting Present. House Bill 3061 having received the constitutional majority is declared passed. House Bill 3066, Senator Rupp. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3066.

{Secretary reads title of bill}

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. This bill amends the Insurance Code and it's rather a major, in size, technical, clean-up bill but there are minor substantive and technical changes in

this Agent's and Broker's Article of the code. Last year this bill was passed. It was an overhaul of the Agent-broker's Article of the code and it was...the effective date was January 1st, '85. Now with that delay, it did give time for a review, and as a result, there was another meeting of the same joint industry department people and they came up with these changes in order to improve the bill before it actually goes into effect. There was no opposition to this bill. It is supported by the Department of Insurance and the insurance industry. Among the things that it does, it does clarify a provision that a prospective insurance producer licensee must complete a preinsurance course. It does limit temporary licensees, and under the current law, there is no requirement that the department when they're going to have a hearing on license revocation that they give notice. This does put that in the bill now. I do ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 3066 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...take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 3066 having received the constitutional majority is declared passed. House Bill 3067, Senator Schuneman. I'm sorry, take that out,...that's on the recall. For what purpose does Senator DeAngelis arise?

SENATOR DeANGELIS:

Mr. President, I would like to have leave of the Body to have Senator Bloom added as a hyphenated sponsor to House Bill 2438, because he says he's such a good guy.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted? Leave is granted. House Bill 3068, Senator Schaffer. Read the bill,

*HB 3068
3rd Reading
HB 3070
3rd Reading*

Mr. Secretary.

SECRETARY:

House Bill 3068.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAPPER:

Mr. President and members of the Senate, this bill is a Department of Public Aid bill that amends a series of Acts to provide for specific guidelines to the courts involving assessing child support payments. It also amends the Vehicle Code to allow the Secretary of State to provide the Department of Public Aid with social security numbers to...assist in child support enforcement, and it also deletes some language regarding the spouse's liability being limited only to the period of receiving aid. The department wishes to be able to pursue, if you will, bad debts even though the person is off public aid. I'm unaware of any opposition and this should have a very positive effect on our ability to get the people that ought to pay the bills to pay the bills.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 3068 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 55, the Nays are none, none voting Present. House Bill 3068 having received the constitutional majority is declared passed. House Bill 3070, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3070.

(Secretary reads title of bill)

3rd reading of the bill.

*HB 3072
2nd Reading*

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. House Bill 3070 provides that a revolving credit arrangement secured by a variable rate mortgage as authorized by Congress or any Federal agency is protected against intervening liens.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 3070 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 52, the Nays are none, none voting Present. House Bill 3070 having received the constitutional majority is declared passed. House Bill 3072, Senator Darrow. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3072.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. This legislation is sponsored by Senator Davidson and myself, and Senator Davidson will close. What it does is provides that a provider licensed under the Medical Practice Act can no longer advertise that they'll waive health insurance deductibles and copayments. The bill deals with the problem of providers who advertise that their patients have no out-of-pocket expense. What's occurred in my area of the State and in some others is that a couple of chiropractors have been advertising that if you come in and see them you will not have to pay any deductible, they will just bill the insurance company, and the result of

that has been, for example, one chiropractor billed one of our leading insurance carriers nine thousand dollars a month last year. This time...this year he billed them forty-two thousand dollars a month, which is a substantial increase. Philosophically, the deductible that we pay on our...on our insurance...our health insurance prevents us from overutilizing it and going to see the doctor or the chiropractor when we perhaps really don't need that medical treatment. It's similar to a legislation that we passed last year that Senator Berman sponsored that pertained to dental insurance contracts. I'd ask for a favorable vote, and as I said, Senator Davidson will close.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any...is there any discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, according to the Senate rules, this is a bill that I could have a conflict of interest in. I wanted to clear that conflict and then say that I'm going to vote Aye. I got to say also, Senator Darrow, there's a few other people besides chiropractors under that Medical Practice Act who have been guilty of this, like medical doctors and osteopaths, and this is to get at all of them who have been misbehaving. It's a good bill. I appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. Briefly, I rise in support of this; of course, there's some question as to its necessity. It seems to me that sometimes we are asked here in Springfield to do things that our friends at Caterpillar and Deere could do themselves, but in this instance, I would...suggest that probably this will declare

the public policy to be such that all providers not just chiropractors will get the message. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 3072 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, none voting Present. House Bill 3072 having received the constitutional majority is declared passed. House Bill 3073, Senator Johns. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3073.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, this bill addresses a problem that's come to the forefront in the mining industry. Two facts...two problems, in fact; one, shooting on the shift; and the other is diesel equipment underground. What's happened here is that the Illinois coal operators and the United Mine Workers have come to an agreement to a moratorium so that we can take a look at this, and add the Department of Public Health of the State of Illinois to see if these emissions and these problems are...tantamount to prohibition. What happens is that this bill prohibits the Department of Mines and Minerals from issuing any permits allowing the use of diesel-powered equipment or explosives for the breaking down of coal on shift, commonly referred to as shooting on the shift, in any underground coal mine commencing on the effective date of the Act

and until the study of the safety of such practices is completed, January 1, 1986; provides that mines presently using this equipment or explosives may continue, as Senator Coffey was concerned about, to use such during this period. It requires the Department of Public Health to conduct a study of underground coal mines that use diesel equipment and shooting on shift; provides that this study shall include, at a minimum, an assessment of the health and safety impacts from the use of such practices and equipment, requires the study to be completed January the 1st, 1986. I'll be glad to answer any questions that you might have. As I have gone underground in the mines in the last few weeks and stood next to the diesel equipment and witnessed its use, the noise, the emissions, and I'm ready to answer any questions that you might want to put forth to me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Coffey.

SENATOR COFFEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR COFFEY:

Senator Johns, as we did discuss earlier and in talking with the particular mine in my area, as I understand you're saying, equipment purchased prior to this date...that equipment now has to be...has to have permits, is that correct? And those permits have to be requested and purchased prior to the effective date of this bill. Anything after that, then will not be permitted. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Johns.

SENATOR JOHNS:

I would say the intent of the Illinois coal operators and the United Mine Workers is that if they do not have it under-

ground and in use right now, they will not put it into use.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

As of the date of this legislation, if it is...this...this bill becomes law, if is not in use at that time, then it will not be allowed to be used. Is that...but if it's in use now, then it...it may be used...continued.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Johns.

SENATOR JOHNS:

If it's in use now, it can be used, right on, and I'd dare say that there's nothing to prohibit the placing of equipment underground right now until this legislation is passed and made into law.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR KEATS:

Just looking at it, asking a question, thinking about a few coal miners, what does this do for the cost of Illinois coal that's already not terribly competitive, then, therefore, what does that do for jobs for coal miners? What I'm concerned with is,...we may be killing some of our coal miners with kindness, we may be putting a bunch of them out of work. I don't know, I'm just asking out of interest.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Johns.

SENATOR JOHNS:

You're not killing coal miners out of kindness with emissions, emissions from diesel equipment...I've dealt with

diesel fuel for twenty some odd years, there if carcinogens in them. Just take, for example, you're driving down the highway or interstate and you're behind a diesel truck, there's fewer ventilation of all kinds going on there but you can still smell those emissions. I dare say, they're going to have a difficult time of getting those emissions out of the mines and protecting those coal miners' lives. It's already the most hazardous occupation in the world, and it's already go all kinds of pitfalls and problems, and I dare say, we're just adding another one. Here's something else that you ought to consider. Here are coal mines that are producing coal for the production of electricity; yet, they're turning away from electricity in the use of the coal mine, and I don't understand that because it...it looks like to me they're cutting off their nose to spite their face. It looks like to me the electrical equipment would be the in product of the production of coal, but also the noise, the emissions are...tantamount to a problem that I...I dare say we need to study.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. In response to some of Senator Coffey's concerns, Senator Johns, in fact, was correct. If...according to the...the language that if a coal mine is currently utilizing the diesel-powered equipment, they, in fact, can continue to do so, according to the...to the...to the bill. There was a rather lengthy and bitter dispute that occurred in the Joint Committee on Administrative Rules, and I see Senator Bloom on his feet to perhaps provide some edification. There is nothing to prohibit now, according to the...the rules...such equipment from being utilized on the ground. It does, in fact, seem to me, Senator Keats, that it

is an agreement between the Illinois coal industry and United Mine Workers, and it seems to me that under this type of an agreement, that it is a positive force for coal and for economic development in Illinois and let's give them some time to continue to talk to one another. Let's impose this January 1st, 1986, amended...deadline. Let's let the Department of Public Health conduct a study and perhaps those two industries working together they can come back and resolve the question for us...will not be necessary for us then to intercede into...into the business affairs of either one of them. So, it is a compromise between the two and it seems to me that we ought to pass it and get rid of it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SANGMEISTER:

I'm now a little bit confused. We're all in favor of taking care of the coal miner and nobody wants to be working in an atmosphere that's not conducive to good health, and on the other hand, from my district, we're finally getting some employees back to Caterpillar Tractor Company after many years, and I know Caterpillar Tractor sells a lot of this kind of equipment to the coal mining industry and I just want to make sure....I don't...I don't object to a study, but there's nothing in this bill that's a prohibition from their now selling diesel equipment to the coal mining industry is there?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Johns.

SENATOR JOHNS:

Well, I would say that they would be selling it if this

legislation were to pass. If they sell it up to the time of the legislation's passage, fine, but during this moratorium, they probably wouldn't...wouldn't sell it. I don't think the mines would buy it until they found out what this public health disclosure would say about the use of the equipment underground. If I was a coal operator, I would certainly hesitate to buy it until this study was concluded.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I just talked with Senator Demuzio and he indicates that he understands that it would be not to any new mining industry, but they would be able to sell to the old mines...I guess I wouldn't even object to that, wanting to try to go along with the program, but I...if this bill is going to prohibit Caterpillar Tractor Company from selling diesel engines and diesel equipment to...the mining industry in the State of Illinois, at least for my district, I got to have some second thoughts about that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. For the edification of some of the prior speakers, here's what the operative language is, it goes as follows, "During the period commencing with the effective date of this amendatory Act and ending January 1, 1986, the Department of Mines and Minerals shall not issue any new permits allowing the use of diesel-powered equipment or explosives while persons are working in any underground coal mine, except that those mines presently using," and so on and so forth. Apparently, the coal industry and the miners have reached a compromise where there would be a one-year moratorium on adding any new diesel-powered equipment. I, too, Senator Sangmeister, am

somewhat troubled by this, but if indeed the coal industry and the United Mine Workers have reached some form of agreement and there was indeed a substantial issue raised during the proposed rule making hearings before the Joint Committee that perhaps this compromise, absent hearing anything from a...to the contrary from the company that is in both mine and your district, perhaps this is a...a workable compromise, and if...if...if I indeed have not, and usually they're very scrupulous about covering us with paper on certain issues, if we haven't heard from them, I suppose that better public policy would indicate to...to have the one-year moratorium and let the Department of Public Health do its study. Although there have been other studies that indicate that with the proper attachments this equipment is not dangerous. I hope that helps the discussion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR JOHNS:

Well, Ladies and Gentlemen of the Senate, I can't think of a more satisfactory way to do what I'm trying to do than what I'm presenting to you. Here are two factions, both highly interested in the operation of coal mines and productivity. They have set down and agreed to this principle, this moratorium. I think it's wonderful that two combatants, in a sense, realize the need to; one, protect the coal miner; two, look at productivity and cost, and let the Department of Public Health say as to whether or not this is hazardous to the coal miners. I think it's wonderful. As one who's been on the side of the unions all along, I want to compliment the Illinois coal operators on being willing to do just what they're doing here. I...I'd like to see more of it between the two factions, really, because Illinois has such...such deep reserves and all at stake. As I said, Senator

Sangmeister, if they're already operating, they can continue to operate, they can continue to buy equipment, but there will be no amendments offered to this legislation during this moratorium by the coal operators or the United Mine Workers. They're both willing to set aside this time to see if this is what is needed in the coal industry, and I would tell you that I'm proud to handle this legislation because it's a step forward in relations between the two factions and I welcome it. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 3073 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 46, the Nays are 3, 3 voting Present. House Bill 3073 having received the constitutional majority is declared passed. House Bill 3086, Senator Philip. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3086.

{Secretary reads title of bill}

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3086 deals with the water levels in Lake Michigan, require the approval of the Great Lakes States, an International Joint Commission on Great Lakes, before out-of-state diversion of Great Lakes water. This is supported by a resolution of the Council of the Great Lake Governor. I know of no opposition. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator D'Arco.

SENATOR D'ARCO:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR D'ARCO:

Pate,...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Wait just a minute, he indicates he doesn't want to yield.

SENATOR D'ARCO:

He doesn't want to yield? I just want to get something into the record, if I might. Does...does this increase the powers of DOT, the Department of Transportation, in regards to the diversion of water from Lake Michigan, because the bill seems to say that instead of DOT having an advisory role in determining how the diversion of water is diverted, it now becomes the designated agency that would control and regulate the diversion of...of Lake Michigan water and is...is that what the intent of the bill is?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

No, it is not. It...it only deals with people who do not border the Great Lakes. In other words, a state that does not border the Great Lakes that wants to take water out of the Great Lakes, before they're allowed to do that, they have to have the approval of the commission, the International Joint Commission and of our Department of Transportation. So, all it does, quite frankly, is protect Illinois and those states the border on the Great Lakes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...D'Arco. Senator Lemke.

SENATOR LEMKE:

I...I think this is...this is probably one of

the....most...major...major bills in Illinois to vote for and being involved in this sometime. I know that initially when this proposal came people thought about creating a severance tax on the waters of Lake Michigan for the midwest states, and after awhile after considering the states what wanted to get the water, such as, Kansas, New Mexico and all the states that are raiding our State for industry, because they are now pressed in those areas...their industry is pressed where they don't have the water, and I think if they're going to steal our jobs, we at least should hold onto our water. Maybe this industry will come back to where it should be and that's in the midwest, and I ask for support of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Macdonald.

SENATOR MACDONALD:

Question of the sponsor, please. Senator Philip, for many years...for ten years I was on the Water Resources Commission and we went to Washington on a number of occasion when the suburban areas were desperately in need of Lake Michigan water. We have thirty-two hundred cubic feet per second which we can remove from Lake Michigan which is our allocation from Illinois. We tried very hard to get a diversion for Lake Michigan water for Illinois use and that was not possible we were told because Canada objected to further diversion of the lake, and we were told that either Canada, as an Intercontinental Compact that we have with them, would have to agree to such diversion or it would have to be through a Supreme Court decision. Has Canada now changed its mind in this International Compact and in the event that we, in Illinois, need more diversion, which we have sought for sometime, would it then have to go through this commission and we would...we would not be able to petition either by the Supreme Court or, hopefully, get the permission? How...How is this going to work if we find in Illinois that we, indeed,

do with the change in...switch in population that we will need more water for the suburban areas and the collar county areas?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. Senator, I...I'm not sure what Canada has done or what the courts have done, I have no idea. But what this bill does is just deal with states that do not abut the Great Lakes, and what they have to do if they want water allocation is have these two, the department...Illinois Department of Transportation and the International Committee, to approve an allocation of water, and that's all it simply does. Quite frankly, it protects all of the states that border on the Great Lakes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 3086 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 3086 having received the constitutional majority is declared passed. House Bill 3087, Senator Davidson. Read the bill, Mr. Secretary.

END OF REEL

REEL #6

SECRETARY:

House Bill 3087.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this bill does exactly what it says on the Calendar. This allows a railroad...a rail freight loan repayment fund be set up so the...the Department of Transportation can reuse the money which we get from the Federal Government as well as the interest on low density rail freight lines here in Illinois, and then the Federal law changed last year so the State, if they have a revolving fund such as this, they can keep the money here and use it as they see in the best interest of the low density rail freight. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Discussion? Senator Smith.

SENATOR SMITH:

Mr. President, I merely wanted to stand on the point of personal privilege, if I could. That's what I...

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR SMITH:

Alright. I'd like to introduce to this August Body the family of Miss Gloria Trouer. They are from Newport News, Virginia, and that area is commonly called Tide Water. Will you please stand and receive them, please. They have come...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Will our guests please stand and be recognized. If there's no further discussion, the question is, shall House Bill 3087 pass. Those in favor will vote Aye. Those opposed

HB 3091
3rd Reading

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 3087 having received the constitutional majority is declared passed. House Bill 3089, Senator Geo-Karis. House Bill 3091, Senator Philip. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3091.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3091 as amended creates the Office of...Business Assistant Office in the Department of Commerce and Community Affairs. What these offices would do would assist small businesses in regards to the paper work, et cetera and help them in regards to their business endeavors. It got out of committee without a dissenting vote. The synopsis on the Calendar is accurate. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 3091 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...52, the Nays are none, none voting Present. House Bill 3091 having received the constitutional majority is declared passed. House Bill 3093, Senator Davidson. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3093.

HB 3095
3rd Reading

(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, bill does what it says on the Calendar. We did put a Floor amendment on it, which would allow the Department of Central Management to establish and implement the use of various tax shelters for all different State employees when the Illinois...Internal...excuse me, the Internal Revenue Code which will increase our take-home pay. With this amendment the...the AFSCME Union withdrew their objection to this bill, and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 3093 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. House Bill 3093 having received the required constitutional majority is declared passed. 3095, Senator Marovitz. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 3095.

(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 3095 mandates that documents and communications pertaining to venereal disease in any child under

HB 3098
2nd Reading

eleven years of age shall be disclosed in accordance with the Abused and Neglected Child Act. The Rape Study Committee indicates that since children under twelve are not sexually active on their own, evidence of venereal disease could indicate some criminal conduct and that reporting of disease to DCFS would help...and be a tool for detecting sexually abused children. This bill was negotiated between the Department of Public Health, Department of Children and Family Services, the Cook County State's Attorney and other law enforcement agencies. Strong concerns were expressed that the prior legislation weakened the ability to prosecute; these...these problems have been cleared up. The bill passed the House 110 to nothing. Until now there has been inadequate reporting to the Department of Children and Family Services by local law enforcement agencies and local health agencies. This would help that, and I would request an affirmative vote on 3095.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Any discussion? Any discussion? If not, the question is, shall House Bill 3095 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. House Bill 3095 having received the required constitutional majority is declared passed. Page 16, 3098, Senator Geo-Karis. Top of page 16, House Bill 3098. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3098.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

HB 3120
3rd Reading

Mr. President and Ladies and Gentlemen of the Senate, this bill which is being cosponsored with Jerome Joyce is a bill that provides for enough monies to...install an...intrasafety monitory...system right within the plant so that if anything happens within the plants, they can be...the information can be ferreted immediately and continued to the central offices of the Nuclear Safety Department in Springfield for a better protection of the people, better alerting of all the police, fire and hospital and other personnel, and I urge it's favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 3098 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. House Bill 3098 having received the required constitutional majority is declared passed. Ladies and gentlemen, we have just now concluded thirty-eight bills, so we're going to have to pick up the pace. House Bill 3101, Senator Schaffer. Senator Schaffer on the board...on the Floor? 3120, Senator Nedza. Read the bill, Mr. Secretary, please. House Bill 3120.

SECRETARY:

House Bill 3120.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3120 would allow health maintenance organizations to enforce liens that they require of enrollees without being penalized for delaying the settlement of a

claim if the enrollee had failed to execute the required lien. It also would...subject HMOs to Section 155 of the Insurance Code which authorizes the court to award reasonable attorney fees in actions by or against a company where there is a issue of liability of a company, the amount payable or for the unreasonable delay in settling the claim. And it also provides that if an HMO...enrollee fails to execute a lien as requested by the HMO, the HMO is not subject to Section 155. No questions, I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 3120 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 3120 having received the required constitutional majority is declared passed. 3123, Senator Sangmeister. Read...it's on the recall this morning. House Bill 3125, Senator Kustra. House Bill...House Bill 3128, Senator Philip. That's on recall. House Bill 3136, Senator Kelly. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 3136.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and fellow Senators. House Bill 3136 allows local school boards to pass on the cost of health insurance to the parents of pupils who participate in athletic events. Other than this, the bill did have an amend-

ment in committee which added the Christian Science Amendment which has been a common practice in the General Assembly. The bill as it amendment...does allow school boards to pass along the cost of the parents of the health insurance. Now, in committee, I was asked the question about what would the cost be, and I have been advised it is very reasonable. I have a...a nephew who is paying...were paying a grade school fee of five dollars annually for this type of insurance, and I doubt if it would be much higher than this. Also in committee Senator Collins showed some concern about the cost of this, and I just wanted to advise her and other members of the Senate that there is already in the State Statutes an indigent provision which would take care of this problem; and, with that, I'd ask for your support and be pleased to try to answer any questions you might have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...any discussion? Senator Kustra.

SENATOR KUSTRA:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Kustra.

SENATOR KUSTRA:

Senator Kelly, I'm familiar with the exemptions that we usually provide to members of certain faiths and I certainly support all those. On this one, I just am not so sure I understand, is...is there an insurance program offered anywhere in the State of Illinois that would...that would be offered to pupils who would be treated by spiritual means alone, to...or...is there such a program? I...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

This...I...I don't know about that particular provision, but I do know that we've had this Christian Science Amendment

before this Assembly and passed on many occasions with the same wording.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

I...I support the Christian Science Amendment, it's just that I'm not so sure this particular amendment is needed, 'cause I don't know if there really are any insurance programs that...that really would...would apply. The other question that I would have then is to the bill itself, aren't there school boards now that charge for athletic activity fees, and if that's the case, why do we need the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, they are right now that...they're doing this themselves, either paying it and...it's on a...a voluntary...this would make it permissive for them to charge this which it isn't now under the current Statutes. So this gives them that permission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. Senator Kelly, I'm...I'm not quite sure if your...your response answered...adequately answered my question in committee. Now what...what law or provisions do we have now that would exempt children who could...parent could not afford to pay from paying this premium for insurance or would the board, in fact, automatically pick it up for them? And how does it, you know, track with the new law...without using that language unless you put the language in the bill? If it's the same language, it still should be in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Yes, there is already an indigent provision, as I mentioned, in the State Statutes, and this relates to those persons who do not have the financial means, those on public aid that are not financially able to...to pay for this cost. So there is an...an exemption for them, and I would believe that that's the persons that you are primarily concerned about.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

When we were in committee with this bill, the other amendment that we asked about was an amendment that perhaps exempted a child if there was enough health insurance already carried by the family. Have you got that in the bill now or are we forgetting that portion?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Sponsor indicates he will yield. Senator Kelly.

SENATOR KELLY:

I...I believe in committee the sponsor said that he would be glad to...to adopt that, but to my knowledge, no one came to me at all in presenting or drafting the amendment. I never had an intention in committee of...of going down to the Reference Bureau and asking them to prepare that amendment, but at the same time, I don't have any problems with it. But, no, it isn't in here.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Simply to...to make the point once again that Senator Kustra made with regard to the permissiveness of...of the legislation. The Body should know that...that...that this is now permitted, there's nothing anyway...where that says this can't be done, and I...I guess...you know, no great problem, Senator Kelly, with the bill, except that there's, you know,...it can be done now. We continue to make laws like this, we continue to add to the Statutes and...and it's just simply isn't necessary; and I would...would...would suggest perhaps a No vote on this bill and keep it from going back to the House might be the way to go, because everything you're asking to be done can now be done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Kelly...the question is, shall House Bill...any...further discussion? Alright. The question is, shall House Bill 3136 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, none voting Present. House Bill 3136 having received the required constitutional majority is declared passed. 3140, Senator Weaver. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 3140.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. House Bill 3140 gives municipalities and school districts the right to issue short-term

paper which is very popular in the market today, and allows them to invest for a much shorter term than the traditional bonds. It also allows the flexibility to meet...fluctuations in the interest market that are presently occurring quite frequently. It's just another way to issue short-term money for and...and...for municipalities and school districts. If there's any questions, I'll try to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 3140 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. House Bill 3140 having received the required constitutional majority is declared passed. 3143, Senator Weaver. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 3143.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

3143 is a variation of the present ability of municipalities...and school districts to issue tax anticipation warrants and notes which are funded by ad valorem taxes. The bill would allow the same type of notes to be issued and to be funded by any source of revenue which the municipalities may be anticipating receiving. Although the market will recognize the source of revenue, it does not enjoy the same degree of security as that which is funded from ad valorem taxes. It may be more beneficial for them and they can make that judgement. Any questions, I'll try to answer them.

HB 3150
3rd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 3143 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 3143 having received the required constitutional majority is declared passed. 3148, Senator Weaver. 3150, Senator Nedza. Alright, the bottom of page 16, on the Order of 3rd Reading is House Bill 3150. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3150.

(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 Senate. Public Act 83-944 which was Senate Bill 1195 allowed lenders to require a security interest in real estate when a credit line exceeded five thousand dollars...under a revolving credit arrangement. The Public Act did not address who was responsible for incurring the cost in...in filing these liens. What House Bill 3150 does, it allows the lenders to pass along the cost associated with recording a security lien on real estate, and that's the full...content of the bill and I would move for...ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? The question is, shall House Bill 3150 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays

are 4, none voting Present. House Bill 3150 having received the required constitutional majority is declared passed. 3161. 3174, Senator Welch. Top of page 17, the Order of 3rd Reading is House Bill 3174. Mr. Secretary, read the bill.
SECRETARY:

House Bill 3174.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does is provides a exemption of the Toxic Substance Disclosure Employees Act for certain retail trade establishments listed in the Federal Standard Industrial Classifications Manual. And this would be effective immediately. It was thought that many retail groups who were included in the Act should not have been included, and that's the reason for this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House bill 3174 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. House Bill 3174 having received the required constitutional majority is declared passed. 3176, Senator Welch. Read the bill, Mr. Secretary, please. 3-1-7-6.

SECRETARY:

House Bill 3176.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does is provide that the Department of Energy and Natural Resources shall conduct a study concerning the underground injection of hazardous waste. This is one of the bills in the task force package.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 3176 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, 1 voting Present. House Bill 3176 having...received the required constitutional majority is declared passed. 3177, Senator Jerome Joyce. Okay, the middle of page 17, Order of 3rd Reading is House Bill 3177. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3177.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This requires the Environmental...Protection Agency to annually test water from private wells located within a half a mile of a hazardous or sanitary landfill site...at the owner or the users request. It's a similar bill that we passed out, part of the task force.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 3177 pass. Those in favor vote

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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 52, the Nays are none, none voting Present. House Bill 3177 having received the required constitutional majority is declared passed. 3178, Senator Holmberg. Middle of page 17, the Order of 3rd Reading has House Bill 3178. Mr. Secretary, read the bill.

SECRETARY:

House...House Bill 3178.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3178 makes various changes in the siting process and requires the E and R to conduct geological and...hydrological studies to be used by the EPA prior to the issuance of a development permit. It's almost identical to Senate Bill 1941 which was passed out of the Senate, with...with two areas that are...are different. The Senate version stated that the geological and water survey's failure to assess ground water resources within the time frame could not be the sole grounds for EPA's denial of the permit. The House version removes the word "sole." Also, the House version removed language which set a cap for the fees the county board can charge an applicant. Other than that, it is identical to the bill that we...we passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 3178 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

HB 3193
3rd Reading

wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 3178 having received the required constitutional majority is declared passed. 3180, Senator Welch. Page 17, House Bill 3180. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3180.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill is very similar to a bill we passed a few weeks ago, Senate Bill 1951; however, this bill is somewhat narrower in scope. The purpose of the bill is to require the Department of Energy and Natural Resources to study the special waste category and it also requires them...the Pollution Control Board to open a docket to hold hearings on the issue. This is another task force proposal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 3180 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, none voting Present. House Bill 3180 having received the required constitutional majority is declared passed. 3193, Senator Welch. On the Order of House Bills 3rd reading, 3193. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3193.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill will do is to amend the EPA, the...Environmental Protection Act, to require a study of ground water quality. In addition, an amendment was put on at the request of a few business groups concerning fees that were imposed under Senate Bill 143 of last year. In particular, what the amendment did was impose a fee for permitting and inspection of hazardous waste disposal facilities, and these fees will range from twenty-nine thousand dollars a year for off-site landfills to forty-eight hundred dollars per year for deep wells. This will implement the intent of Senate Bill 143 which was adopted last year. This bill contemplated originally that the Pollution Control Board would have set the fee schedule; however, after one year, the board has proposed rules which were tied to their appropriations from the Legislature which was somewhat cumbersome. I would glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill...3193 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. House Bill 3193 having received the required constitutional majority is declared passed. 3201, Senator Vadalabene. Alright, page 17, the Order of House Bills 3rd Reading, 3201. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3201.

(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 3201 was suggested by the Department of Registration and Education and is supported by the Illinois Association of Realtors, and what it does, it merely cleans up some areas in the 1983 Real Estate License Act. Specifically; one, it permits a salesperson's applicant to take the licensing examination upon showing receipt of a Baccalaureate Degree with at least minor courses in real estate. Two, it clarifies brokers maintaining a definite place of business in Illinois unless the broker resides in a bordering State and meets the specific requirements such as reciprocity and as conditions to be met in order to receive a nonresident sales...salesperson's license, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? Any discussion? If not, the question is, shall House Bill 3201 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 3201 having received the required constitutional majority is declared passed. House Bill 3202, Senator Vadalabene. House Bill 3203. Please read the bill, Mr. Secretary...3202, I'm sorry. 3202.

SECRETARY:

House Bill...House Bill 3202.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. House Bill 3202. Senator Vadalabene.

SENATOR VADALABENE:

House Bill 3202 is recommended by the...by the Illinois Attorney General's Office and the Department of Registration and Education and is supported by the Illinois Association of Realtors. It clarifies the procedures used before aggrieved individuals can collect from the Real Estate Recovery Fund. It attempts to restore and and reenforce the original intent of the law by outlining a procedure for the course to follow when making awards from the Real Estate Recovery Fund. I know of no opposition and encourage your support, and I'll appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Any discussion? If not, the question is, shall House Bill 3202 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 3202 having received the required constitutional majority is declared passed. 3205 was on the recall list this morning. 3206 was on the recall...no, wait a minute. 3206, Senator Macdonald. On top of page 18, House Bills 3rd Reading is House Bill 3206. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3206.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. 3206 requires that the Department of Conservation deposit all monies received for nongame wildlife purposes in the...Nongame Wildlife Conservation Fund. It changes the wild turkey hunting time, extending it

to sunset from eleven-thirty. It adds some income realized for the sale of original art work, reprints, patches and related programs. There were two amendments offered to the bill. Amendment No. 1, Floor amendment, was requested by the House sponsor, and that says that the... that the department on their own property may exchange their agricultural products as well as sell them; and Floor Amendment No. 2 says that all monies received for historic preservations are to be deposited in that fund and appropriated for historic preservation purposes. This...Amendment No. 2 only reflects the desire to have a superior...fund that will do the job for historic preservation. I know of no opposition, and I ask for your support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 3206 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 3206 having received the required constitutional majority is declared passed. House Bill 3208, Senator Davidson. Alright. On the Order of House Bills 3rd Reading is House Bill 3208. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3208.

{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, the bill does exactly what it says on the Calendar. We did amend it in committee which we adopted on the Floor which were technical

amendments, because in the typing of the bill they had reversed some numbers; such as they made seventy-four into a forty-seven et cetera. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 3208 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 3208 having received the required constitutional majority is declared passed. 3209, Senator Schaffer. Senator Schaffer on the Floor? Senate Bill...House Bill...House Bill 3219, Senator Berman. Page 18, the middle of the page, House Bills 3rd Reading is House Bill 3219. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3219.

(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. The bill does exactly what the synopsis indicates. It requires the State Board of Education to develop a comprehensive educational plan for elementary and secondary education throughout the State and to include therein annual fiscal year budgets for education for the entire State. Request your...favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there any discussion? Senator Maitland.

SENATOR MAITLAND:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Eerman...I'm sorry,
Senator Maitland.

SENATOR MAITLAND:

Maitland right here, yeah.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Berman, I...I don't know whether I support the bill or not. I guess the concern is that I have is I'm not sure what we are attempting to do. I wonder if you could...could simply tell the Body how you perceive this plan might be. What are we doing here? What are we trying to do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman for perception.

SENATOR BERMAN:

I think you're asking me to give you a dissertation on Speaker Madigan's intent by the introduction of this bill. I'm not sure I want to venture into that area. I would say to you this, that the...the bill calls for the State Board of Education to be of assistance to the General Assembly and to the Governor as to the future of education in Illinois. I think it's a laudatory goal, it probably is a...a little...at the State Board as to its future plans, and I think that it's...is something that we can all use.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I...I wonder, Senator Berman, do you feel that this is infringing any upon the area that you and I are presently dealing with and that is to say the report from the Commission on the Improvement of Elementary and Secondary Education which you and I and others have spent so much time on?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I can answer that without reservation. If it did, it would still be in our committee. This bill I don't think imposes at all on the good work of the Improvement Commission. What it will do is probably a year from now, we'll see some recommendations from the State Board that may or may not be in agreement with what you and I and the other members of the commission will be coming forth with.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I...I'm not sure I agree with...with that answer. I...for those of you who may have forgotten, we created the...the Commission for the Improvement of Elementary and Secondary a year ago, and we are about to...to issue a preliminary report and that's going to be a result of some twelve hearings around the State. We're going to have some rather, I believe, strong recommendations for the improvement of elementary and secondary around this State, and I...I would hope...I would hope that what we are about is the plan that will be recommended and the State Board will receive it and that subsequent legislation will be forthcoming, and I...it...it seems to me that we may be just once again redoing and recreating something that's already...been done and I...I'm not sure that's the case, but I had that concern and I...I...I think there's some redundancy here and I perhaps believe we should vote against the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge. Alright. Further discussion? Senator Berman may close.

SENATOR BERMAN:

A No vote is actually saying that you don't want the State Board of Education to give us any guidance as to the future of education in Illinois. I don't think that's either what Senator Maitland intends or what we ought to do. The bill is complementary to other efforts that we have taken. It certainly does not impose or restrict any of the other things and the...and the bottom line is that the educational plan...an act...or recommended by the State Board of Education must be submitted to the General Assembly; that's where it will all wind up, that's where it should be. I solicit your Aye vote for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 3219 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 16, none voting Present. House Bill 3219 having received the required constitutional majority is declared passed. Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

Thank you, Mr. President. I would ask leave...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...pardon me, pardon me, Senator D'Arco. Senator Keats, for what purpose do you...

SENATOR KEATS:

...after John.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

Mr. President, I would ask leave of this Body to read into the record...of the transcript of House Bill 3086 which passed this Body some language that we didn't get to at the

time, but is necessary to be read in the record and...and put in the transcript of that vote. Can I do that? Thank you. I would like to state that the present language of Section 1 of this Act designates the Department of Transportation as the agency to make suggestions and recommendations for the control and regulation of the diversion of Lake Michigan water at Chicago. The amendment to the new Section 1.2 of this Act designates the Department of Transportation as the agency to control and regulate the diversion. This change reflects existing practice and is not intended to make any changes in the role of the Department of Transportation. The department will still be required to cooperate with all the other agencies and local governments affected by the department's allocation decisions. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator D'Arco's remarks were in relationship to House bill 3086. With leave...Senator Keats, for what purpose do you arise?

SENATOR KEATS:

Rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR KEATS:

As we sit here and run through many of these bills that I notice are of tremendous importance to the State and...a tremendous emergency, I ask a question out loud that's rhetorical, did the Senate Rules Committee actually meet this year or did you really give us all the trash the House sent us? I'm looking at some of these bills, to call them an emergency, I mean, there's a better chance the Bears will win the Superbowl next year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. With...Senator Rock, for what purpose do you arise?

HB 3209
3rd Reading

SENATOR HOCK:

I'm with the Bears, and there are a lot of administration bills in this package.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we'll return to another administration bill, 3209. Senator Schaffer is now back on the floor? Is leave granted? Leave is granted. Page 18, the Order of 3rd Reading, House Bill 3209. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3209.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

This administration bill does several things for the Department of Public Aid. It authorizes the Comptroller to reduce a payment to an individual for the amount owed to the State. It reduces and clarifies parental liability for...from twenty-one to eighteen year olds for certain types of children, principally children that are attending a college or vocational training program away from home. It places a time limit on the vendor state of service in which the vendor must submit a voucher for payment, I believe that time payment...they have to submit the voucher within six months after the service is provided and provides that the Department of Public Aid may recover medical assistance payments from worker's compensation from those who are eligible. It also provides that employers shall be required to periodically supply insurance companies the names and addresses, dates of births and social security numbers of all persons in group health insurance plans upon the request of the Department of Public Aid. This is an attempt to get some of our

medical bills paid that should be paid and permits voluntarily State employees annuitants to authorize withholding of amounts owed to the State from their paychecks. It's a voluntary provision. I'm unaware of any problems with the bill, I think most of the intent is pretty self-explanatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 3209 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 3209 having received the required constitutional majority is declared passed. House Bill 3231, Senator Rock. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 3231.

(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 3231 would provide to the City of Chicago the power of quick take. The City enjoys as does the State and other units of local government already the right of eminent domain. Quick take is, as you know, the expedited procedure whereby the court can give the condemning authority immediate title to and possession of the property, and the compensation is then worked out or...or subject to court...determination later. This bill specifically refers to for the purpose set forth in Division 74-2 and 74-3 of Article XI of the Illinois Municipal Code, and those two divisions, as I'm sure you remember, concern themselves with

the commercial blight areas; that's seventy-three, and seventy-four is business district development and redevelopment. So the purposes are pretty narrowly defined according to the Illinois Statute. And, frankly, the purpose for this legislation is to afford the City of Chicago, after receiving the prior approval of the city council, the right to engage in eminent domain and use the procedure called quick take with respect to the north loop redevelopment proposal. The city, as you know, for sometime has had the north loop development proposal on the...on the boards, but the fact is they have not been able to move as expeditiously as they would want because they've not yet come to an agreement with many of the land owners; and this would afford the opportunity for that project to go ahead, admittedly in a blighted area, admittedly in a commercial development area. It is subject to, of course, as I indicate, the approval of the city council. It is a very narrow purpose and I would urge your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If...Senator Marovitz.

SENATOR MAROVITZ:

I hate to ask a question here, but why do we need this in the City of Chicago? And...and really, who does want it, yeah?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock indicates he will yield. Senator Rock.

SENATOR ROCK:

It was suggested to me by the House sponsor, Mr. Cullerton, at the request of the Office of the Mayor of the City of Chicago, and the express purpose...since it is tied directly to those two divisions of the Illinois Municipal Code concerning commercial redevelopment, it is aimed specifically for utilization for the...proceedings on the north

loop redevelopment project, which is that area, I'm sure you know, from Lake Street to Randolph and from the new State of Illinois Building east to State Street.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I guess what I want to know is, what's the hurry on that? I mean, why can't they file a condominium petition and...and proceed according to the process which everyone else proceeds instead of have quick take where the property owner really is at the mercy of the municipality? I don't really understand why we...why we need this legislation, why they can't go through the regular condominium procedure...the condemnation...excuse me, condemnation procedure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, as...as I indicated, this is a procedural mechanism whereby the condemning authority is afforded the right of immediate title and possession and the compensation is determined at a later date. As you know, under ordinary condemnation proceedings, if I am the...the landowner, I can effectively stall a project by refusing to agree and engaging in...in extended litigation; and that, in fact, I'm told is what has happened to the north loop redevelopment project which everybody admits is a desirable thing. So the question is, why don't we get going on the project and we'll worry about the compensation later. There's...there's no intent to...and...and quick take has been utilized previously. The State of Illinois enjoys that authority, as does the Illinois Toll Highway Authority, as does the St. Louis Metropolitan Airport Authority. It has been utilized in the past. It...it is not an attempt to...to subvert or otherwise, denigrate the...the rights and authority of the current land-

owner. It is subject to court determination, and there will be a jury trial if that's what the landowner wants in terms of what is reasonable compensation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

With...with all due respect to my leader, no other municipality in the State of Illinois has this, and this legislation is not limited to the north loop redevelopment project. It can...it...it can go and be used for any piece of property anywhere in the City of Chicago that the...the municipality feels it wants to...to use quick take for, not just a north loop redevelopment project. I think this is a terrible precedent. No other municipality has it and I think we have laws...the condemnation laws that...that have been used heretofore, that should continue to be used, and I, personally, am not going to support this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further...Senator Rock.

SENATOR ROCK:

Just in response, the gentleman was not quite accurate and I...you know, whether or not he supports it, frankly, is a judgment of his own; but the fact is that it is limited under the Illinois Statutes, under the Illinois Municipal Code to commercial blight areas...I'm trying to get the word of art for the second grouping, and...that...that is determined by the corporate authorities, the...the Mayor of Chicago and the city council, because the whole thing is subject to prior city council approval. So it's...it's not quite accurate to suggest that...that willy-nilly, the...the City of Chicago can go around a city condemning things. That's just...that's not accurate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. Well, the...my concern, which was partly raised by Senator Marovitz, is the extent of the definition. I understand Senator Rock's response is that it is confined to commercial blight and one other category, but those are not defined specifically in terms obviously of the north loop redevelopment area, and I suspect there are a reasonable number...reasonable numbers of parts of the City of Chicago that might meet the definition of commercial blight and that other so far unnamed category, so that...I can see a...a business strip in...one of the neighborhoods suddenly being designated commercial blight and then subject to quick take. I think the problem is that quick take is a very heavy hand on the part of government. Eminent domain to begin with is a very heavy hand, and when you go a dramatic step beyond that and allow government to take first and negotiate the payment later, you have considerably restricted the negotiating power of the landowner whose property has been taken. In some cases, where the landowners are trying to hold up the government and have no real reason to hang onto their property, probably it's...it's not all that unsympathetic, but there are other circumstances where that is not the case. So that...I don't think we want to hand out quick take powers very easily, and I'm just concerned that the...the restriction is not quite as narrowly confined as perhaps it ought to be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, quick take means just that, you take the property first and decide what they're going to pay later after you have a trial. I think considering that the City of Chicago has such a divided leadership at the present time, that if we

allowed quick take, I think it could cause many, many, unfortunate and horrendous situations. It can be one side or the other, whoever prevails, whether it's fair or not, and since there is a such thing as an emergency hearing on a condemnation proceeding and the City of Chicago has the right of condemnation, I do not feel that we should go ahead and restrict property rights of people further by quick take. I...I have to be opposed to quick take.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield, Senator Weaver.

END OF BEEL

REEL #7

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield, Senator Weaver.

SENATOR WEAVER:

Senator Bock, if..for my information, if I owned a piece of property that was...that the city council said was a blighted area, and I didn't think it was blighted, what's my recourse? Can I go to court and say that the city council was arbitrary in their judgment? Is there any protection in...for the individual property owner to reverse, say, a decision that my property is a blighted property?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bock.

SENATOR BOCK:

I...I would assume so, yes. I...now, frankly, I've...I've not heard of that in the past, and if you'd take a look at Chapter 24 in Division 74 and...or...yeah, 73 and 74, the corporate authorities of the municipality make that designation after public hearings as to what area is a business district for redevelopment or what is a commercial blight area, and we have statutorily set forth a number of factors that are to be considered; dilapidation, obsolescents, deterioration, illegal use, just a whole host of things. So,...again, it is not done lightly and...and I would suggest that if the City Council of the City of Chicago and the Mayor of the City of Chicago somehow determine, as Senator Netsch indicated, that some business strip on DeVone Avenue or some business strip on Central Avenue was, in fact, subject to this, I would think, yes, that that would be subject to review to make sure that the corporate authorities were acting according to the statutory authority that's been

granted them under the Illinois Municipal Code.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver. Further discussion? Further discussion? Senator Rock may close. Oh, Senator Marovitz, I'm sorry...no, Senator Marovitz.

SENATOR MAROVITZ:

...forget about it.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator Rock, you may close.

SENATOR BOCK:

I'm not sure I'll ever convince Senator Marovitz, but let...for those of you who still have open minds, let me just suggest that we are not, in fact, undermining the rights of the property owner. What we are saying is that in those two limited purpose areas where you are talking about commercial blight and you are talking about business district redevelopment, both of which have to be designated by the mayor and the city council after public hearings, in that limited purpose area, the right of quick take will expedite the ultimate plan, no question about that, but the fact of the matter is, one still enjoys the right to sue for just compensation. All we're saying is that in that...for those limited purposes, title and possession are garnered immediately and just compensation is subject to a lawsuit or subject to settlement later. It just kind of reverses the process, but nobody's rights are being undermined. Now, I think it's a necessary tool for the corporate authority of the City of Chicago, the mayor and the city council after prior approval of the city council in order to move ahead with this project. The north loop redevelopment project in particular has been on the drawing board since right before Mayor Daily died, I believe, and...and the fact of the matter is, the city administrations want to move ahead with it. This will afford them a tool to move ahead, and I would urge your favorable consideration.

HB 3239
3rd reading

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall House Bill 3231 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 34, the Nays are 13, 7 voting Present. House Bill 3231 having received the required constitutional majority is declared passed. All right, for...for what purpose does Senator Keats arise?

SENATOR KEATS:

That was an excellent bill and I voted my conscience, but just in case in the future, I have a serious conflict of interest on that, I just want to mention that that could arise.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. House Bill 3239, Senator Holmberg. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 3239.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The purpose of House Bill 3239 is simply to reduce the maximum amount a utility can charge a small business for security deposits. The bill changes the maximum security deposit from one-third of the annual utility charges to one-sixth or two months. This is identical to the amount that can be charged to individual users. A...survey after survey around the nation has shown that small business owners are ranking energy related costs as one of their most...of their highest, most burdensome operating expenses, and in Illinois, small business owners are mentioning that the cost of energy

is every bit the problem that worker's compensation and unemployment insurance costs are. This is one of their key bills in this legislative Session. Some of them are paying seven hundred to twelve hundred dollars for utility service downpayments, and this will help the economy as our small businesses get rolling again.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 3239 pass. Those in favor vote Aye. 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 3239 having received the required constitutional majority is declared passed. House Bill 3263, Senator Sangmeister. Read the bill, Mr. Secretary, please. There's been a question where we're going to go. We're going to go right back to the start of...of House bills 3rd. So, after this bill, we will go back to the start on page 3 of your Calendar and pick it up again. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 3263.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President. Before we get into the merits of the bill, as far as the next order of business is concerned, will we be getting back to...to the Order of 2nd Reading? I did have leave to go back for one bill. You probably would.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion?

SENATOR SANGMEISTER:

No...wait...wait a minute...the question was directed to you, before we get into the merits of the bill, whether today we will get back to 2nd readings. I had leave to go back to 2nd readings on House Bill 2950, and I was just wondering if you're going to get back to that, then I'm not going to assert the right that I think I have because I got leave to go back to 2nd readings.

PRESIDING OFFICER: (SENATOR BRUCE)

You...you did and we're going to go to recalls, and I think it'd be appropriate...

SENATOR SANGMEISTER:

At that time.

PRESIDING OFFICER: (SENATOR BRUCE)

...the first one out of the box, you can be the first 2nd reading...

SENATOR SANGMEISTER:

Fine. To the business at hand, as you can see from your Calendar, the Will County Forest Preserve District, obviously, bought a piece of property they shouldn't have and they'd like to resell it. I think we ought to give them the right to do that.

PRESIDING OFFICER: (SENATOR BRUCE)

Okay. Further discussion on 3263? Discussion? Discussion? The question is, shall House Bill 3263 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 55, the Nays are none, none voting Present. House Bill 3263 having received the required constitutional majority is declared passed. We will go back to page 3, House bills 3rd. We are preparing a recall list and as soon as it is ready to distribute,...all right, on 2nd reading...however, before we go to that order of business, is there leave to go to the Order of...well,

HB 2950
2nd Reading

leave was granted earlier to go to House Bill 2950 when an amendment had been distributed, and that is on page 23 of your Calendar...may I have your attention, please. On page 23 of your Calendar is located House Bill 2950, and Senator Sangmeister sought and received leaver earlier today to get back to that order of business before we adjourned so that he would have a chance to consider an amendment, and Senator Sangmeister is recognized. Are there amendments, Mr. Secretary? Yes, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister is recognized on Amendment No. 1. May we have some order, please. We are still trying to adjourn by five-thirty if we can continue.

SENATOR SANGMEISTER:

Thank you, I believe everything is now in order on this amendment. Those that requested copies of it, I presume...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister, may...may I just interrupt you for a moment. We did take this all the way out of the record, and the Secretary and I agree we probably should read it a second time; even though we did it earlier, we did take it all the way out of the record. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2950.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister is recognized.

SENATOR SANGMEISTER:

All right. As I started to say, I think everyone who wanted copies of the amendment has got it and it's very short and I will just again repeat it that on the employee's right to go into their personnel records, it would exclude employers with five employees or more than five employees exclusive of the employer's parents, spouse or child or other members of the immediate family. I've been authorized to say that the National Federation of Independent Business has endorsed this amendment and so has the Illinois Retail Merchants Association, and would ask that the amendment be adopted.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies Gentlemen. I still rise in opposition to the...I still rise in opposition to the amendment although happen to consider it a good bill. We have now met with some of the small business groups and I have to admit to the chagrin of many Republicans, they've decided to cave in and give ground for some of their members. I don't know that it's terribly reflective of some of their membership and I think we should remember that, but the fact that they are grudgingly accepting an amendment that clearly hurts their own membership, we should, as a Legislature, act upon the behalf to those small businessmen. Let me tell you what the problem is. The bill as drafted, 2950, is a decent piece of legislation. Several amendments were supposedly going to be offered, this being one; another was one that AFL-CIO had to put Draconian enforcement measures for the Department of Labor in it. That was never offered. No one was silly enough to sponsor it in either party, and that was the one Senator Grotberg had gotten up and unfortunately mentioned. What has really happened...what has really happened is the original bill, 2950,...in the original discussions had

started the employers with twenty-five employees or less would be excluded. The business groups had their arms twisted and they said, okay to the...to the House Majority Leader and the Speaker...the Speaker of the House said, okay, we'll back off and we'll take ten or less. Well, now they've backed off and said, we'll take five or less or twenty part-time employees. Now we're saying, forget the part-time employees, we'll settle for five. Is...so when you we say they grudgingly accept it, that's true, but I have to admit, it's kind of like a guy holding a gun to your head and saying, you know, hey,...so, from that angle, if we are allegedly...showing some concern for small business...let me tell you who this hits. By excluding these part-time employees from consideration, there are an awful lot of small companies who do not employ five full-time people year-round but during the summer do have fifteen, twenty, twenty-five part-time employees. Anyone from a rural area would recognize the kind of companies we're talking about. Those are the companies that now would be covered. What we're saying is, if we're alleging that we're looking out for the interest of small business and we're saying we do not wish...legislation be expanded beyond those companies that might have a major impact, let's keep in mind the part-time employee issue is what this amendment is all about. Do you want those who hirer large numbers of part-time employees, usually during the summer, to be covered when you figure in many cases they don't really even keep personnel records? So, I simply say to all of us, after saying to the Small Business Conference, hey, we're with you; gee, you got problems, and we realize there's a differences between small business and big business, we understand, but in this case, here's a chance for you to vote that way. I'd appreciate opposition to the amendment, but I would support the bill and I would request a roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, further discussion? Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, I don't know how much more there is to say, except it's...it's the old principle, I guess if the business people aren't that happy with the bill, don't think labor is jumping up and down about this, they weren't that happy about it either. In fact, their amendment that they wanted to be put on which...Senator Grotberg was opposing was not even filed, so they didn't get what they wanted on their end of it either, but they're willing to go along with this; and sometimes if neither party is happy, maybe the General Assembly is doing what we ought to do, and I suggest we adopt the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there a request for a roll call? Well, there's one. Anyone else? All right. The question is on the adoption of Amendment No. 1 to House Bill 2950. 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 31, the Nays are 21. Amendment No. 1 to House Bill 2950 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Okay. All right, with leave of the...the Body, we will now go to House bills 3rd and start through the list again, and when the recall list arrives, we will see where we are and...and go to that order of business, again, with leave of the Senate. 877 is on the recall list. For what purpose does Senator Rock arise?

SENATOR ROCK:

NB 2211
Recall

...maybe we can just start with the recall list. If you can just read the numbers...

PRESIDING OFFICER: (SENATOR BRUCE)

All right, with leave, we'll get back to 877 at the end of the recall list. Why don't we just read them, Senator...or Mr. Secretary.

SECRETARY:

All..all the bills?

PRESIDING OFFICER: (SENATOR BRUCE)

Just the ones...yes, the recall.

SECRETARY:

...877, 1190, 2040, 2211 and we have 2479 for a Tabling motion and also an amendment, 2574, 2600, 2732, 2853, 2857, 2961, 3036, 3067, 3148, 3205.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. House Bill 1190, under the sponsorship of Senator Buzbee. Is Senator Buzbee on the Floor? All right, House Bill 2040, under the sponsorship of Senator Hall. Senator Hall seeks leave of the...hold. Senator Hall, do you wish to...Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I'm...Senator Buzbee, I don't know where he is, I'm amenable to bringing the bill back. He has an amendment that he wants to put on this bill, and I have no objection to it.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, well, with leave of the Senate, we'll get back to that order in just a moment. 2211 and that is Senator Degnan. Senator Degnan has asked leave of the Senate to return 2211 to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. Mr. Secretary, are there amendments?

SECRETARY:

Amendment No. 5 offered by...Senator Coffey.

HB 2479
Recalled

PRESIDING OFFICER: (SENATOR BRUCE)

Is Senator Coffey on the Floor? All right, Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Can we just leave that on 3rd reading then and not go with the amendment on No. 2?

PRESIDING OFFICER: (SENATOR BRUCE)

You are the sponsor, Senator. All right, Senator Coffey. All right. No amendments. 3rd reading. 2479, under the sponsorship...all right, Senator Jerome Joyce on the Floor? Senator...Jerome Joyce. All right, that...all right that bill is located on page 20 of your Calendar. It was on 2nd reading earlier today, advanced to 3rd. 2479, Senator Jerome Joyce asks leave of the Senate to return the bill to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. Are there amendments, Mr. Secretary? Oh, okay, Senator Jerome Joyce is recognized for a motion to Table. Is that correct, Senator Jerome Joyce, would you...is Senator Schuneman on the Floor? All right, Senator Schuneman offered...Amendment No. 4 was adopted. Senator Jerome Joyce having voted on the prevailing side moves to reconsider the vote by which Amendment No. 4 was adopted. On that motion, those in favor say Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Jerome Joyce now moves to Table Amendment No. 4. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No...Senator Schuneman, the Chair had checked with you. Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, this is the amendment that I had offered earlier today that would increase the alcohol tax as an alternative means of funding the domestic violence bill. I had not discussed that amendment with Senator Joyce, and for that I apologize, I should have discussed it ahead of time with him.

The amendment was adopted and I'm not sure everybody knew what was happening. I am serious about the amendment, and so to the extent that people may have changed their minds, I want them to know what is being done here. Senator Joyce is moving to...to Table that amendment which we adopted earlier today. In effect what I...what I did by this amendment was to suggest that we should raise the alcohol tax in this State about two and a half percent which would create about two and a half million dollars in this fund. Now, I think the easiest way to explain what I was trying to do was...is to recall that last year there was a proposal made by the administration to increase the alcohol tax in an amount that would raise about sixty million dollars, and all we're seeking to raise here is about two and a half million dollars. I suggested that...that we should do this and give the Governor an alternative to use this funding rather than the marriage tax funding which was approved in the bill that was passed yesterday or the day before. So, I would urge an...or a vote against the motion to Table.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator...is there discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank...thank you, Mr. President. I...it was...it's been suggested to me that we're going to have so much money in this...in the Battered Woman Fund and Spouse Fund that we're going to be...start beating up on women because there's going to be so many...so much funds for that, but I...but I think that...that we have already passed the...the appropriation and the...and the mechanism to do this. I would suggest that this is cluttering up a bill that other people are concerned about some...some very vital things in this bill, and I would ask to Table this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, further discussion? The Chair is indulging the Body in that...in that a motion to Table is not debatable but since this was adopted without discussion, we will continue. Senator Eock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in opposition to this amendment and, therefore, in favor of the motion to Table. The fact of the matter is, we have already passed and sent to the Governor's Desk the bill that the Governor proposed which will provide stable funding for the Domestic Violence Fund. To call for a tax increase on an altogether different subject on a bill that is of significance, absent Amendment No. 4, simply is not in our best interest. You're going to...we're going to wind up losing this entire bill because of this unwanted, unnecessary tax increase; and I, frankly,...if the Senator wishes to provide alternative funding, I suggest that next year we can put a bill in...or he can put a bill in and try to restructure the whole fund, but to...at the eleventh hour call for a tax increase on the liquor industry simply is not in anybody's best interest, and I would urge opposition to Amendment No. 4.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Philip on Amendment No. 4.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think I tend to concur with Senator Schuneman, quite frankly, and on his amendment. Obviously, one of the biggest reasons for beating up and abusing women is...is booze, that the men don't get the courage until they get half stiff, and why shouldn't booze be taxed a little bit, and why...why we should take it out on marriage licenses, I'll never know. It's a good institution, why pick on it, and I think we ought to support this, quite frankly.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, now, Ladies and Gentlemen, if we can...this is a motion to Table which is not debatable...Senator Becker.

SENATOR BECKER:

Thank you, Mr. President and members of the Senate. I've already collected, Senator Rock, forty dollars for the first marriage license if Bev and Sam get together.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, it's getting close...

SENATOR BECKER:

I rise in support of Tabling the motion.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Now,...okay, Senator Vadalabene in defense.

SENATOR VADALABENE:

Thank you, Senator Becker. Will you bring the forty dollars over here?

PRESIDING OFFICER: (SENATOR BRUCE)

All right, now...since this is not debatable, have we exhausted this particular topic? Senator Gec-Karis, could you add something?

SENATOR GEO-KARIS:

Yes, Mr. President and Ladies and Gentlemen of the Senate, for different reasons than my Minority...Leader, I support this amendment, because I hope to Heaven no one gets that courageous where they have to get drunk to beat anyone.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Jerome Joyce, are you...do you need anything to close?

SENATOR JEROME JOYCE:

I'm closed.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, the motion is to Table Amendment No. 4 to House Bill 2479. The motion was made by Senator Jerome Joyce. Those who support his position would vote Aye. The

HB 2600
Recalled

opposing argument was made by Senator Schuneman. Those opposed would vote No. The voting is open. The motion is to Table...have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 17. The motion to Table Amendment No. 4 prevails. Amendment No. 4 is Tabled. Are there further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Joyce...Jerome Joyce is recognized for Amendment No. 5.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This...what this does is...is says that the...the applicant for...the applicant licensee would pay for the cost of transcripts at the...at any hearing. I think we do these on a lot of things.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 5. Is there discussion of that motion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Is there leave to get back to 2574? For what purpose does Senator Demuzio arise?

SENATOR DEMUZIO:

Well, yes, just a...on a point of...of order here. It seems to me that the Chair if it's going to give explanations on how to vote Yes and how to vote No, there's a yellow button and perhaps in the future you might also inform us how to vote Present and push this yellow button, if you might.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, thank you. It's been a long day. House Bill

2600, Senator Berman asks leave of the Senate to return the bill to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman is recognized.

SENATOR BERMAN:

Thank you, Mr. President. This amendment is merely a technical correction to the School Aid Formula to plug in the corrected levels of the...equalized assessed valuation in line with our funding formulary. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further...amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2732. Senator Lemke asks leave of the Senate to return the bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there amendments, Mr. Secretary, please?

SECRETARY:

Amendment No. 5 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke on Amendment No. 5.

SENATOR LEMKE:

What this does is amends the Metropolitan Civic Center Authority Act. This is similar to amendment that lost the other time. We took...the reason for that amendment going now is because of the River Forest Civic Center. We took

HB 2853
Recalled

that out of the amendment, and the amendment is exactly the same. It changes the Mt. Vernon Civic Center Authority to the Jefferson County Authority and includes all of the Jefferson County in the territory of the authority. It also raises the bonding maximum. Since we're creating all these new civic authorities, we must raise the bonding authority.
PRESIDING OFFICER: (SENATOR BRUCE)

All right. The motion is to adopt Amendment No. 5. Discussion of the motion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2853. Senator Degnan asks leave of the Senate to return the bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there amendments, Mr. Secretary, please?

SECRETARY:

Amendment No. 2 offered by Senator Degnan.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan on Amendment No. 2.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 2 clarifies what we did last year and that was to allow election authorities to provide Democrat and Republican County Chairmen with precinct registration lists. This defines those lists to include computer tapes.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further...no further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House...Senator Grotberg, for what purpose do you arise?

SENATOR GROTEEBG:

On the amendment just gone by, I realize you've already moved, but is there an effective date on it, Senator Degnan?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

Yes, in the bill, it's immediate.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg...further...okay, the bill is on 3rd reading. House Bill 2857, Senator Grotberg, you're...Senator Grotberg. 2857, Senator, you have an amendment? Senator Grotberg asks leave of the Senate to return the bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there amendments, Mr. Secretary, please, to 2857?

SECRETARY:

Amendment No. 1 offered...Amendment No. 1 offered by Senator Grotberg.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg is recognized.

SENATOR GROTEBERG:

Yes, thank you, Mr. President and fellow members. This amendment restores the public notice provision to the Township Act that was inadvertently done in last year, and the Illinois Press Association and the Association of Township Officials have agreed, as of this morning, that it should be returned, and I move the adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, the motion is to adopt Amendment No. 1. Is there discussion of the motion? Discussion? Question is on the adoption. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Are there further

amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2961. Senator Netsch asks leave of the Senate to return the bill to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch on Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. The amendment was suggested by the Retail Manufacturers Association...Retail Merchants, I'm sorry, and...agreed to by the City of Chicago which is really the prime mover of the bill. It has to do with the piggybacking of locally imposed taxes when the State is also imposing a similar tax. The amendment tightens it up a great deal with respect to the sales tax and makes it clear for all practical purposes that any locally imposed sales tax in order to be subject to being...enforced by the State would have to be in the exact terms as the State tax. I would move the adoption of Amendment No. 1 to House Bill 2961.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. On the motion, discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 3036. Senator Welch asks leave of the Senate to return the bill to the Order of 2nd Reading.

*HB 3067
Recalled*

Is there leave? Leave is granted. Are there amendments, Mr. Secretary, please?

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch is recognized.

SENATOR WELCH:

Thank you, Mr. President. This bill is the bill that will allow for the Attorney General or a state's attorney to obtain attorneys' fees and...and court costs when they prevail in prosecuting a person who has violated the Act. What the amendment does is state that the prosecution has to prevail against a person who has committed a willful, knowing or repeated violation of the Act. This puts it in conformity with one of the amendments put on in the House on the Senate version of this bill, and I'd move for adoption of this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there further discussion of the motion to adopt? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 3067. Senator Schuneman asks leave of the Senate to return the bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there amendments, Mr. Secretary, please?

SECRETARY:

Amendment No. 1 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman is recognized.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is a Department of Insur-

ance bill and this is a Department of Insurance amendment. The amendment basically is the department's targeted funding proposal which includes the same provisions that the Senate adopted earlier in Senate Bill 1865 but with a few notable exceptions. The amendment significantly restricts the use of the funds which are paid into the Insurance Financial...Regulation Fund established by this bill so that it's clear that they are to be used for the funding the financial regulatory activities of the department. Other language concerning the investment earnings of the fund, interfund borrowing and accumulation of balances in the fund have been eliminated. Language which provides for crediting and the excess balance over a hundred thousand dollars above the...department's obligations against the next year's assessment also has been added. The problem which this amendment addresses is a very real and pressing one which has gained increased attention from both the media and state legislators throughout the country because of the events in recent weeks involving an increasing number of insolvent or financially troubled insurance companies. I move adoption of the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I would like a copy of the amendment. I think we should have been extended the courtesy of...of that and I have others that have joined me in that request.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, is...is Senator Rupp joined by five others in requesting a copy of the amendment? There...there are...there are five. All right. All right, Senator Schuneman, will you make provisions to have amendments distributed?

SENATOR SCHUNEMAN:

Yes, I will.

PRESIDING OFFICER: (SENATOR BRUCE)

All right.

SENATOR SCHUNEMAN:

Mr. President, when are we going to get back to this order?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, it may very well be tomorrow before we get back. I mean, it is now...four-thirty. Senator Schuneman, that...as quickly as we can.

SENATOR SCHUNEMAN:

Well, I understand the...the problems. We'll be happy to try to get the amendments to the members.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Is there leave to take it out of the record? Take it out of the record. For what purpose does Senator Rupp arise?

SENATOR RUPP:

I will not insist on that be done and I ask a vote be taken at this particular moment.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator...Senator Rupp now withdraws his request that copies be distributed. All right. And, Senator Schuneman,...all right, the bill is still before us. The Chair has sought leave to take it out of the record but we did not get to that order. Senator Schuneman on Amendment No. 1. To explain it, Senator, now that we are at this issue.

SENATOR SCHUNEMAN:

Mr...Mr. President, I've explained the amendment. I think we're on the discussion stage. I'd be happy to close at the proper time. If there are any questions, I'd like to respond to them.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Is there further discussion? Further discussion? Senator Weaver.

SENATOR WEAVER:

...thank you, Mr. President. Well, this amendment is a bill that represents a bill that passed this Senate that got hung up in Rules in the House for some reason, so I stand in support of this amendment to 3067.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Further discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I was not going to speak on the item since we would move along, but this particular bill is not an insolvency bill, it's a funding bill. We have had this many, many times. I'm a little bit surprised that the Senator who is handling this particular amendment, I think I've heard him and his reputation in the House is that he did not particularly like this procedure, but now he seems that he is right in the midst of it. I do ask for a No vote or a resounding No vote and this particular item.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Kenneth Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield.

SENATOR HALL:

Senator, I'm sorry, I wasn't here, I thought your bill was going to be taken out of the record until this...now I...why is this amendment necessary that you're putting on there? Would you mind...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

The...the amendment is essentially the same as Senate

Bill 1865 which the Senate passed earlier this year. 1865...got hung up in the House Rules Committee, so there was never a hearing on this issue in the House, as I understand it. Now, what we're doing is seeking to put the amendment on this bill and send it to the House so that it will have consideration there. So, we've already adopted the...essentially the bill, except that this amendment is more restrictive as far as the Department of Insurance is concerned than the bill we passed out of here earlier.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR HALL:

Go ahead. That's all right.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lechowicz. Further discussion? Senator Schuneman may close.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I simply would point out that...that the amendment they're...that we seek to adopt now is even more restrictive on the department than the...bill that we passed out of here earlier. As far as the point made by Senator Rupp, it's true that in past years I did oppose similar funding procedures. The insurance industry in the State of Illinois pays taxes in the amount of about and hundred and seven or eight million dollars, but we only appropriate about 7.8 to run the Department of Insurance. The simple fact of the matter is that with all the competition for State resources, the Department of Insurance is unable to get any more money to do the kind of financial regulation and...and review and inspection of insurance companies that we need them to do. I'm convinced that there's...that there's a growing problem out there, and I'm willing to change my mind at this time on this particular issue, and I stand in support of it. I think it's something that...that

we should do.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, the question is on the adoption of Amendment No. 1. Is there a request for a roll call? All right...you were joined by two others. All right, question is on the adoption of Amendment No. 1 to House Bill 3067. 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 26, the Nays are 24. Amendment No. 1...all right, there's been a...Senator Chew...all right, there's been a request for a verification. There are 26 Ayes, 24 Nays, 1 voting Present. The amendment is adopted. Senator Chew has requested a verification of those who voted in the affirmative, Senator? All right. Under Senate procedures...will the members please be in their seats. It's a verification. Members please be in your seats and will you respond when the Secretary calls your name. Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

Mr. President, just to say that I had pressed my button before that you had announced the roll call was taken, and wanted to be recorded as voting Aye. I don't know whether I have some problem with my switch.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Well, Senator, you're not recorded on the roll call. All right. All right, call those who voted in the affirmative, Mr. Secretary, please.

SECRETARY:

The following voted in the affirmative: Becker, Berman, Bloom, Buzbee, D'Arco, Dawson, DeAngelis, Degnan, Egan, Fawell, Geo-Karis, Grothberg, Jerome Joyce, Kustra, Lechowicz, Lemke, Luft, Macdonald, Maitland, Netsch, Sangmeister, Schaffer, Schuneman, Sommer, Watson, Weaver.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew, do you question the presence of any member? Senator Buzbee on the Floor? Senator Euzbee. Strike his name. Is Senator Dawson on the Floor? Senator Dawson. Strike his name. Senator Degnan on the Floor? Senator Degnan. Strike his name. Is Senator Bloom on the Floor? Senator Bloom. Strike his name. Jeremiah Joyce is not recorded. All right, what have you got? All right, Senator Bloom has returned to the Floor. His name will be returned to the roll call. All right, what is it now, Kenny? All right, on a verified roll call...Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Mr. President, in the event...in...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew...Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. In the event that...the amendment loses, I would ask the right to verify the negative roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, Senator, you'll...if you wish to do it, now is the time.

SENATOR SCHUNEMAN:

Now is the time, okay, then I would...I would...

PRESIDING OFFICER: (SENATOR BRUCE)

Now...now wait a minute, let's just...it has been the order and procedure of this Body to...on a roll call that is required a majority of those voting to verify both the negatives and the positives. Well...all right...all right, at this point, there are 23 Ayes and 24 Nays, and Senator Schuneman has asked for a verification of those who voted in the negative. All right. Wait a minute, for what purpose does Senator Egan arise?

SENATOR EGAN:

Yes, you announced 23 to what?

PRESIDING OFFICER: (SENATOR BRUCE)

24.

SENATOR EGAN:

But I believe Senator Dawson is on the Floor before you made that announcement. I'd just like to clarify it.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, as soon as the Chair...

SENATOR EGAN:

Senator Dawson is here.

PRESIDING OFFICER: (SENATOR BRUCE)

...as soon as that's brought to the Chair's attention, we will return him to the roll call. Senator Dawson is on the Floor, and he will...no...now, gentlemen, let's just remember the...the procedure in this Body is pending a verification, anyone who returns can be added to the roll call, and we...we...no, we have not announced the roll call finally because Senator Schuneman has asked for a verification of those who voted in the negative. Senator Chew, for what purpose do you arise?

SENATOR CHEW:

I'm telling you now why I'm rising, you have not...it was not brought to the attention of the Chair. You called for Senator Dawson just as you called for the rest and he cannot be added to that roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

He...he can add...he can be added until such time as the verification has been completed.

SENATOR CHEW:

It was completed, Mr. President, and I asked you announce...

PRESIDING OFFICER: (SENATOR BRUCE)

No.

SENATOR CHEW:

...you...you got off the track when he said, "in the event." See.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew, the...the...roll call has not been verified. Senator Schuneman asked for the roll call as it presently stood and for a verification. So, the...Senator Egan, for what purpose do you arise?

SENATOR EGAN:

I think we can resolve the problem immediately. Senator Buzbee is here.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, all right...all right...okay. For what purpose does Senator Jones arise? Senator Buzbee will be returned to the roll call.

SENATOR JONES:

Mr. President, in your...your ruling, does the caller for the verification...does he has a right again to go back and ask for a verification of persons whom he may think is not here?

PRESIDING OFFICER: (SENATOR BRUCE)

Generally we have not followed a procedure which allows a double verification.

SENATOR JONES:

...Mr. President, if he is not allowed to go back to the affirmative or...the affirmative roll call to verify those persons not here, how can you then return to the affirmative roll call and restore persons back to the roll? I don't think that's fair.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, Senator, the Chair always tries to be fair and it is the Chair's decision always that pending verification, we will afford to any member who returns to this Body the right to be recorded as he desires, and...and both Senators Buzbee, Dawson and Bloom have returned to the Floor. The roll call

has not yet been verified. The longer we will talk, the longer it will be take...taken to be verified, and so we are at that point of verification. Senator Jones.

SENATOR JONES:

Yes, I...Mr. President, I understood what...I heard what you said, but you're not being consistent because we have completed the verification on the...Yea votes. Now if you are to go back to the Yea votes and...and restore members to the roll, then the person calling for the verification will have a right to challenge some persons who may not still be here.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. For what purpose does Senator Schuneman arise?

SENATOR SCHUNEMAN:

Well, Mr. President, I'm simply asking for the right to verify the negative roll call, if and when that becomes necessary, and I only want to...to reserve my right. I'll have to...

PRESIDING OFFICER: (SENATOR BRUCE)

On...on a yet unverified roll call, Senator Schuneman, it is now 25 Ayes and 24 Nays. That's where we are. Without the roll...verification having been completed, that is the unofficial tally at this point.

SENATOR SCHUNEMAN:

Okay, so I guess we're at the...at the order of trying to decide how quickly the Chair is going to declare the vote. I...I will withdraw my request.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator Weaver, for what purpose do you arise?
SENATOR WEAVER:

Well, I don't want to confuse it, but I just wanted to clear up the point Senator Barkhausen questioned the validity of the initial roll call. He said he pointed...he was on the

Floor before any roll call was announced. He said his vote was not counted. May I suggest you just take another roll call and we go with that roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, we have never in the years that I have been here added anyone to a printed roll call, and if you will think about that for a moment, that maybe where you would like to be. We would be in violation of Senate rules to add anyone to the Senate roll call as printed by the machine. For what purpose does Senator Chew arise?

END OF REEL

REEL #8

SENATOR CHEW:

Am I correct and if this proceeding is, in fact, recorded, the official record will record that you have announced the roll call 23-24. Is that right or wrong?

PRESIDING OFFICER: (SENATOR BRUCE)

No, at the...at the end of the verification of those who voted in the affirmative, the Chair had an inquiry as to what the status of the roll call was and I replied at...at that point that there were 23 Ayes and 24 Nays.

SENATOR CHEW:

I believe if you'd replay your recording, you'd said...a roll has been verified and there's 23 Ayes and 24 Nays. Now that's in the recording and I would challenge you, sir, on that particular statement. Now that roll call was announced 23-24 by the Chair. It's a matter of record if we're being recorded, and I would challenge that statement of the...of the...challenge the position in which the Chair is taking. You announced it, I didn't.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew, there was inquiry of the Floor and if the Chair said it was a verified roll call, the Chair acted in error, because this Body has always allowed on a roll call motion that does not require an...thirty...affirmative votes to allow those who voted in the negative to also be verified. That is a...that is a courtesy that has been extended to both parties on all issues, and that...that...as far as I can see, the Chair has always allowed that courtesy. Senator Chew.

SENATOR CHEW:

I am not questioning whether a member of this Body wants a verification opposite the verification that I asked for.

PRESIDING OFFICER: (SENATOR BRUCE)

All right.

SENATOR CHEW:

I merely said that the Chair announced an official roll call, and if it is being recorded, that's the way it is recorded, and I don't agree that you have a right to retract that statement. At the time that...prior to your announcing, which was wrong, a member of this Body asked and said, if necessary; in other words, if it doesn't come out like I want it, then I want to have the right to verify the negative votes. What you did, sir, was allow that to be placed in order which was entirely out of order because you cannot, sir, interrupt a roll call, and that's exactly what Schuneman was doing and it was nothing but a delaying tactic. Your record will indicate that you announced 23-24, and I would like for the...original record to remain.

PRESIDING OFFICER: (SENATOR BRUCE)

That's fine, Senator,...and even at that event, you have...the Senate has a right to verify those who voted in the negative, and so...if you have no problem with that, Senator, that's where we are. All right, and we have always added members back when they return to the Floor pending a verification. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Mr. President, there was a request to verify the affirmative roll call. That roll call has been verified. I've withdrawn my request to verify the negative. I would ask you to announce the vote.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator Chew, I...I'm prepared to...to announce the verified roll call. All right. On a verified roll call on the adoption of Amendment No. 1 to House Bill 3067, there are 25...Ayes and 24 Nays, and Amendment No. 1 is

adopted. All right, Senator Chew. Senator Chew is recognized.

SENATOR CHEW:

Mr. President, I will challenge the ruling of the Chair. I think it's biased. I think it's unfair and I don't think the Chair is operating in the dignity in which it's up there for.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator Chew has appealed the ruling of the Chair that on a verified roll call on the first amendment to House Bill 3067 that it was deemed adopted by a...verified roll call of 24 Ayes and 24 Nays. On the...24...25 Ayes, 24 Nays...and Senator Chew has appealed that ruling. All right...Senator Rock.

SENATOR ROCK:

What happens if I have Senator Euzbee leave again?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, it...it is now too late. The roll call has been verified. All right, for what purpose does Senator Jones arise?

SENATOR JONES:

Mr. President, what I don't understand, I'm quite sure the record would and the tapes will show this, under what manner did you jump from 23 to 24 because I never heard you place Senator Buzbee on the roll call. So,...what manner did you jump from the figure of 23 affirmatives to 25?

PRESIDING OFFICER: (SENATOR BRUCE)

Well, Senator, the...the question before the Body is, shall the ruling of the Chair be sustained, and that is the matter before the Body. It will take...it is debatable. It will require 36...36 affirmative...or negative votes to overturn the ruling of the Chair. Is there further discussion? The question is, shall the ruling of the Chair be sustained. Those who vote in favor of sustaining the ruling

will vote Aye. Those opposed to sustaining the ruling will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 10, none voting Present. The...the appealing of the rule...the appeal of the ruling of the Chair having failed to receive the necessary three-fifths negative votes, the appeal fails and the ruling of the Chair is sustained. What...3rd reading. All right...for what purpose does Senator Weaver arise?

SENATOR WEAVER:

Are we still on the Order of Recalls?

PRESIDING OFFICER: (SENATOR BRUCE)

We're to it.

SENATOR WEAVER:

I think...I want to bring back...

SENATOR BRUCE:

...3184, Senator Weaver?

SENATOR WEAVER:

...3148 for an amendment by...Senator...for Senator Maitland.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, is there leave to return House Bill 3148 to the Order of 2nd Reading? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 1 offered by Senator Maitland.

PRESIDENT:

I think it's safe to return now. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Amendment No. 2 to House Bill 3148 amends a portion of that bill that changes the...the effective date of an amendment that was put on by Representative Vincent in the House with regard to tax incremental financing. It simply backs up the date. It

HB 3205
Recalled

accommodates a particular community and backs that date to...to June 30th, 1984. I know of no opposition and I would move for the adoption.

PRESIDENT:

All right, Senator Maitland has moved the adoption of Amendment No. 1 to House Bill 3148. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Weaver on 3205. The bottom of page 17, on the Order of House Bills 3rd Reading, Senator Weaver seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3205, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Weaver.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This amendment would provide for reciprocal charter boat fishing permits. Currently, Illinois law permits an operator of a sport fishing charter boat free in Illinois and four hundred dollars in Wisconsin. This just says that if Wisconsin charges us four hundred dollars, we charge them four hundred dollars. If they charge us nothing, we charge them nothing. I'd move adoption of the amendment.

PRESIDENT:

Senator...Senator Weaver has moved the adoption of Amendment No. 1 to House Bill 3205. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have

it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. If you'll take a look now on the recall sheet...Senator Schuneman, for what purpose do you arise, sir?

SENATOR SCHUNEMAN:

Point of personal privilege, Mr. President.

PRESIDENT:

Yes, sir.

SENATOR SCHUNEMAN:

We just completed a verified roll call, and I...I simply want to say this, that the Presiding Officer at that time was voted No on the bill, and I think that he gave me and this Body very fair treatment and I simply think that we ought...we ought to mention the fact that even though he may have been opposed to the measure that we were debating, he certainly upheld the fairness of...of the Body, and I appreciate that.

PRESIDENT:

He is to be congratulated. He even...he even voted right. If you'll go back now to the recall sheet, at the top, on the Order of Senate Bills 3rd Reading, top of page...middle of page 3, is House Bill 877. Senator Bruce seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 877. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Bruce.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. I just want to tell...Senator Schuneman, it's often very difficult to be fair...particularly with the guidance of Senator Chew. This particular amendment deals with the residency requirements of noncertificated...employees of the school districts located outside the City of Chicago. It covers school service personnel, noncertificated employees, mainly secretaries, custodians and...and other people who are not certified by the State Teachers' Certification Board, and all it says is that residency will not be a requirement for employment. This is the same rights that we now presently grant to certificated employees of school districts in the State of Illinois. It does not affect the City of Chicago.

PRESIDENT:

All right, Senator Bruce has moved the adoption of Amendment No. 2 to House Bill 877. Discussion? Senator Collins.

SENATOR COLLINS:

I just want to make sure, I...I know this amendment and apparently you're saying that this bill does not...as amended, this amendment does not apply at all to those employees who are employed in the City of Chicago who lives outside of the City of Chicago. They would still have to be residents or abide by the...the local city ordinance in reference to outside employment for the...I mean, the school boards in reference to outside employment.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Thank is correct, Senator. We're only amending that part of the School Code that deals with all school districts other than the City of Chicago. So, it has no affect on the City of Chicago school district at all.

PRESIDENT:

All right, Senator Bruce has moved the adoption of Amend-

ment No. 2 to House Bill 877. Discussion? Senator Keats.

SENATOR KEATS:

A question...would the sponsor yield?

PRESIDENT:

Sponsor indicates he'll yield, Senator Keats.

SENATOR KEATS:

Have you found a solution to a problem we don't have? Could you give me one example of where this is a problem? I'm...I'm not saying the bill is a bad idea, I'm just saying, why solve a problem we don't have?

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

As I am told, there have been some questions about school bus drivers and custodians and whether or not they have to reside within the district. We thought we'd resolved that when we passed legislation three or four years ago on certificated employees. This just adds that same right to those who are noncertified. They do not have a certificate from the State Teachers' Certification Board but they are school employees and...the residency requirement would not be that they...live within the district. We have many school districts that overlap counties in downstate, overlap communities, we have K through twelve districts, we have elementary districts, we have unit districts, we have high school districts and it's very difficult in my own home community and other communities to say that you're going to live exactly in the district in which you're going to be employed. It just stops employment possibilities, and some of these districts are in the same community. The City of Mt. Vernon, the largest city in my district, has four unit...four elementary districts and a high school district outside the City of Mt. Vernon which is growing. I think we have another five or six within the county, and it's very difficult to say that if you

HB 1190
Recessed

live in Jefferson County, one block from the school district where you'd like to work, you can't work there unless you move into that school district. That's...this is for custodians and bus drivers.

PRESIDENT:

Further discussion? Any further discussion? If not, Senator Bruce has moved the adoption of Amendment No. 2 to House Bill 877. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No...no further amendments.

PRESIDENT:

3rd reading. Senator Buzbee on 1190...on the Order of House Bills 3rd Reading, top of page 4, is House Bill 1190...Senator Buzbee seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1190. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Buzbee.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This amendment would...would add a language which we discovered has perhaps created a problem because of the lack of this language. The language says "and combined school districts, if the combined school district includes any district which was previously required to provide transportation," and I would move its adoption.

PRESIDENT:P

Senator Buzbee has moved the adoption of Amendment No. 2 to House Bill 1190. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The

HB 2040
Recalled

amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2040, Senator Hall. On the Order of House Bills 3rd Reading is House Bill 2040, 2040. Senator Hall seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2040. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Buzbee.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. I saved all of my work for late afternoon. This amendment adds language specifying that the Department of Energy and Natural Resources shall cooperate with the Pollution Control Board and the Environmental Protection Agency to provide research. It represents language that was intended to alleviate the Pollution Control Board's concerns about inadequate...departmental research activities, and I would move its adoption.

PRESIDENT:

Senator Buzbee has moved the adoption of Amendment No. 2 to House Bill 2040. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Bruce on 2574, top of page 6, on the Order of House Bills 3rd Reading is House Bill 2574. Senator Bruce seeks leave of the Body to return that bill to

the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2574. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Donahue.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 to 2574 transfers an additional three million dollars out of the debt service bond category, which happens to have an excess, for the purposes of issuance of bonds for grants to school districts for rehabilitational replacement of school buildings which have been condemned by any State official having jurisdiction over building safety. What this does is allow my...one of my school districts that is in dire need to be added to this bill and take advantage of this service.

PRESIDENT:

All right, Senator Donahue has moved the adoption of Amendment No. 2 to House Bill 2574. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. There has been one additional request. Senator Demuzio on the Floor? Senator Demuzio has indicated he would like to take up 3161. Is that correct? 3161. If you'll turn to page...page 16 on the Calendar, on the Order of House Bills 3rd Reading, the bottom of page 16, is House Bill 3161. Senator Demuzio seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the

Order of House Bills 2nd Reading, House Bill 3161, Mr. Secretary.

SECRETARY:

...Amendment No. 1 was adopted.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Having voted on the prevailing side, I move to Table the Amendment No. 1. The amendment was put on at the request of the retailers. I am told that that amendment will be added to similar language on Senator Etheredge's bill sometime later in the day or perhaps tomorrow, and therefore this bill would not necessarily have to be amended and have to go back to the House. So by taking off this amendment, makes it a pretty clean bill, so I would move...having voted on the prevailing side, I move to Table the...Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The motion is to reconsider the vote by which Amendment No. 1 was adopted to House Bill 3161. On the motion to reconsider, those in favor say Aye. Opposed Nay. The Ayes have it and the vote is reconsidered. Senator Demuzio now moves to Table Amendment No. 1. On the motion to Table, those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Happy to have with us the Speaker of the House of Representatives,...Mr. Madigan. Further amendments?

SECRETARY:

No...no further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading.

PRESIDENT:

Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 688 offered by Senators Geo-Karis,

Barkhausen, Schaffer and Keats, congratulatory.

Senate Resolution 689 offered by Senators Rock, Philip, Vadalabene and all members, and it's congratulatory.

PRESIDENT:

Senator Collins, what's your pleasure on this?

SENATOR COLLINS:

Yeah, I...I move to suspend the rules for immediate consideration and...and the adoption of Senate Resolution...

PRESIDENT:

Resolutions, Mr. Secretary.

SECRETARY:

Senate...Senate Resolution 690 offered by Senators Collins, Jeremiah Joyce...or Jerome Joyce and...and Senator Rock.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, Senate Resolution 69 is a resolution in honor of a very rare privilege to...for us to extend our best wishes to one of our staff people today whose birthday happens to be today, and I would just like to move for the...immediate suspension of the rules and adoption of the resolution.

PRESIDENT:

All right, Senator Collins has moved to suspend the rules for the purpose of the immediate consideration and adoption of Senate Resolution 690. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Collins now moves the adoption of Senate Resolution 690. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Collins.

SENATOR COLLINS:

Yes, I would like now to read the resolution.

(Senator Collins reads SR 690)

PRESIDENT:

Where is he? Oh, there he is. Happy Birthday to Matt Ryan. Senator Philip, for what purpose do you arise, sir?

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like the record to show that Senator Mahar is still convalescing in the hospital and is doing well.

PRESIDENT:

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

SENATOR NEDZA:

The purpose of an announcement, Mr. President.

PRESIDENT:

State your announcement. This is the proper time.

SENATOR NEDZA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this evening there is the traditional Senate-House baseball game. We have sixteen volunteers from the Senate Floor who say they will participate in the contest, and I would urge all to come out and wish them well and bring some Band-Aids, some liniment and...we're going to go give them hell though.

PRESIDENT:

Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

I want to remind the Body that the Linguine Fest will continue on from six-thirty on and those of you who attend the game, we'll have continuous linguine cooking, so come there and bring your appetites and your sweaty bodies.

PRESIDENT:

Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Yes, this...since...since it's been raining all afternoon, I was wondering whether or not Senator Nedza had dis-

cussed with the House any...rain dates like for maybe next week sometime. Is there a rain date for next week?

PRESIDENT:

Any further business or further announcements to come before the Senate? If not, Senator Hall moves that the Senate stand adjourned until Thursday, June 21, tomorrow morning, at the hour of ten o'clock. Ten o'clock tomorrow morning. The Senate stands adjourned.