

83RD GENERAL ASSEMBLY

REGULAR SESSION

JUNE 22, 1983

PRESIDING OFFICER: (SENATOR BRUCE)

The hour of nine-thirty having arrived, the Senate will come to order. Prayer today by Rabbi Israel Zoberman of the Temple B'rith Sholom of Springfield, Illinois. And will our guests in the galleries please rise.

RABBI ISRAEL ZOBERMAN:

(Prayer given by Rabbi Zoberman)

PRESIDING OFFICER: (SENATOR BRUCE)

Reading of the Journal.

SECRETARY:

Tuesday, June the 14th, 1983.

PRESIDING OFFICER: (SENATOR BRUCE)

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.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there additions or corrections? On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Journal is approved. Senator Johns.

SENATOR JOHNS:

Mr. President, I move that reading and approval of the Journals of Wednesday, June the 15th; Thursday, June the 16th; Monday, June the 20th; Tuesday, June the 21st, in the year 1983, be postponed pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Is there discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. Senator Sommer. If I might have the attention of the Body, we are going to start today on...on House Bills 3rd reading, on Page 7 of your Calendar, at the bottom of Page 7, is House Bill 603. We are going to start on 3rds and we will

stay on 3rds most of today, and we will probably not get back to recalls today, and we will have a recall list prepared for tomorrow. Senator Sommer, did you wish to start with 603? For what purpose does Senator Grothberg arise?

SENATOR GROTBERG:

Well, I think I rise for a rather reasonable purpose. I count exactly eight people on the Floor of the Senate. It's a bit of an awkward time to...to...to begin bills and...and if we have our roller skates on. But for those early people who are on this Calendar, I can...I can speak for an hour, I can do anything to get the people out of their offices over here. I think that if each of us had something to say long enough to rest, but I would move you that we go to the Order of Resolutions or Committee Reports or anything to fake it for about ten minutes, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, if we...

SENATOR GROTBERG:

My...my colleagues are...

PRESIDING OFFICER: (SENATOR BRUCE)

...if we have any resolutions or any other business to...to handle, we would have. But we are at the point where we are down to House Bills 3rd reading.

SENATOR GROTBERG:

Well, I could give a political speech, but I'm not running for anything.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Alright. Well, let's see how we go. We'll...Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the reason we are delayed is that the Senate had many casualties last night in the ballgame. Senator Demuzio had a hamstrung muscle, can hardly walk. Senator Maitland banged his hand,

and it is wrapped up, and I banged my finger catching a ball from Maitland...I didn't watch it too carefully. And I think you'll have to be, shall we say, merciful to us today because we got clobbered by the House. The score was twenty to four. However, we would have done better if some of my Senate members hadn't been out the night before and been there...and with full...vim, vigor and vitality, and I really feel that we could have done a better service, because I felt we could have won yesterday. Even Emil Jones hit and made...and got on base, and that's really something for Emil considering that Emil was much thinner years ago and could run faster. Buy, by golly, Emil Jones made it, and I'm very proud of Emil. And the hero of the game was Senator David Barkhausen from Lake County who caught many a fly ball and hit many a good hit. And thank goodness we had a representative from Lake County playing in the Senate baseball team. Believe me, Mr. President, it wasn't easy to see my...my team go down in inglorious defeat, but they tried hard.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Alright. Let's just...let's run one of the bills. We have a pretty strong contingent of people here now. Senator Sommer, did you wish to run 603? For what purpose does Senator...Demuzio arise?

SENATOR DEMUZIO:

Yes, thank you. I'd like to yield another ten minutes to Senator Geo-Karis, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Well,...Ladies and Gentlemen, one of the reasons that the leadership decided to start at nine-thirty as opposed to nine is that we could get started and get out of here today at a reasonable hour. And it is now nine-forty and we would like to get the first bill underway. Senator Weaver.

SENATOR WEAVER:

Senator Sommer is ready to go.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, that's what I've been trying...Senator Sommer.
Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 603.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sommer.

SENATOR SOMMER:

Thank you, Mr. President and members, finally. This bill is a simple bill. It requires that the highway commissioners submit to the township board of trustees the final bills for construction projects within thirty days. The amendment simply made a change in terms of...it said, instead of project completion it was project billing, and thirty days after that the...the bills must be submitted to the board. Secondly, it...it amended the Act such that...that district clerks, I believe, shall do the advertising and open the bids. Again, a very simple bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall House Bill 603 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 603 having received the required constitutional majority is declared passed. House Bill 604, Senator Grothberg. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 604.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President and fellow members. Now that we've established a quorum. Senate Bill 604 is the entry into the anticipation note program for libraries, much as we have school anticipation notes in anticipation of State aid. And there are eighteen library systems in the State that can use this and they are only allowed to do it through this legislation after we have appropriated and the Governor has signed the appropriation for the State grants to the library systems. Be glad to answer any questions; otherwise, I move the adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, would the Senator...yield to a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator...

SENATOR SAVICKAS:

Just reading the synopsis, I don't have the bill here, Senator.

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order here, please. Senator Savickas.

SENATOR SAVICKAS:

If the Legislature had...has the grants to appropriate and they're not distributed or appropriated by the Governor, what happens if they...issue these anticipation notes and the money doesn't come into the library system?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

Thank you. Senator Savickas, as I recall, the Secretary of State administers the Library Grant Funds after the appro-

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2nd Reading

priation process is fulfilled. I know of no method by which the Governor can stop such a process. My good friend and co-sponsor, Senator Vadalabene, may have a better explanation of it than that, but that would be my interpretation of it, Senator.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Savickas. Further questions? Further questions? Senator Grotberg, do you wish to close?

SENATOR GROTBORG:

Roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall House Bill 604 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 54, the Nays are none, none voting Present. House Bill 604 having received the required constitutional majority is declared passed. House Bill 605, Senator Welch. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 605.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch, do you wish to proceed?

SENATOR WELCH:

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill affects only two counties in the State of Illinois, Putnam County and Warren County. And the purpose of the bill is to let their library systems levy at a rate that other libraries throughout the

State levy at. These are two county libraries as opposed to most libraries which are either municipal libraries or regional-type of libraries. It also allows for the county libraries to be eligible to receive grants from the State as well, and I would move for this...passage of this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? Senator Keats.

SENATOR KEATS:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Keats.

SENATOR KEATS:

There...is there some question about the referendum requirement on this bill? Is there some...maybe I misunderstood. Is there some question about this is a different referendum requirement from other libraries?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

That's...that's not my understanding, Senator Keats. My understanding is that the bill will just change the rate at which they can levy so that they can be more in tune with the other libraries in the State.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

My understanding of the bill, and I...I could be in error, I'm saying, is that...is somehow there's no referendum requirement for these rate changes. All...all I'm saying is, is there...I mean, do you know if there's a referendum requirement for these rate changes?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

It would be a county ordinance that would be able to do it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

So, it's a nonreferendum change?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

That is my understanding. Yes, it's up to the county.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sommer.

SENATOR SOMMER:

Is...is it...is it...the situation in which, if they wanted to, they could now go to a referendum and raise to seven cents?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

The situation at this time is not that way, no, the county cannot.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sommer.

SENATOR SOMMER:

They...mean they are unable to have a referendum to raise to seven cents?

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Welch.

SENATOR WELCH:

That's my understanding, yes, because it's a county library as opposed to another type of library.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sommer.

SENATOR SCHMPPER:

Our analysis says, subject to a backdoor referendum, they can go to eight cents. So, what you're doing...are you here raising taxes without a referendum on the people of Putnam County and my former district?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

We are giving the people of Putnam County the opportunity to have a say as to whether they want to raise the tax for the...their own library.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sommer. Senator Sommer, had you concluded?

SENATOR SOMMER:

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SENATOR WELCH:

Just call the roll, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall House Bill 605 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 32, the Nays are 19, none voting Present. House Bill 605 having received the required constitutional majority is declared passed. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Well, I was just speaking with Senator Demuzio. He's concerned, and he'd like to talk to some of the attorneys here. He feels that he has a workman's comp. case ready to be filed from his injury last night at the ballgame. So, anyone interested in the case, would you just step up here,

*H. B. 613
H. B. 614
H. B. 615*

we'll discuss it and see what settlements we can make.

PRESIDING OFFICER: (SENATOR BRUCE)

Fine. If...if...if Demuzio is working ever, we'll...we'll handle the claim. We've had requests from the Illinois Association of Realtors to shoot a few...photographs from the gallery without flash for a publication that they are going to print. Is...is there leave? Leave is granted. House Bill 609, Senator Sangmeister. House Bill 610, Senator Kelly. Is Senator Kelly on the Floor? House Bill 613, Senator Vadalabene. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 613.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 613 creates an Act relating to the City of Alton and authorizes the City of Alton to convey certain real property to the Illinois Department of Transportation. Officials of the City of Alton support this legislation and the DOT supports their efforts in connecting the road. It passed out of Executive Committee 16 to nothing, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall House Bill 613 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 2, none voting Present. House Bill 613 having received the required constitutional majority is declared passed. Senator Vadalabene on 614. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 614.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. This is a companion bill to 613. What the...House Bill 614 has the same purpose, the completion of the Great River Road. The property specified in this bill was deeded to the City of Alton in 1850 and is now used as a park at a park located next to the Mississippi River. The Great River Road on Route 3 ends on both sides of this property, and the intent of this bill is to allow the City of Alton to deed the property to DOT for purposes of completing the road through Alton. Again, the city officials of Alton and the...and the DOT support this bill, and it passed out of the Executive Committee 16 to 0, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Lemke. Senator Grotberg.
SENATOR GROTEBERG:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Grotberg.

SENATOR GROTEBERG:

Senator, I'm going to support this, and it's part of the package that you have to have to go through with that. I think that for the record we should have the facts as to whether or not this affects all charitable trusts in the State of Illinois; is it specific to this charitable trust? I can see downstream some implications if either of those things are true. And any lawyer here who can add something

to the legislative intent I think would be a good time to put it in the record. I read the intent exactly as the sponsor has said, to help the City of Alton; but if there's a fall-out, Sam, for all charitable trusts, I'd like the record to show it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

The...the way I understand it, the National Historic Trust Preservation has no problems with this bill. It relates strictly to the Alton area, and this is the information that I have been given.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grothberg.

SENATOR GROTHBERG:

That's...that's in the record. So, let's see what happens.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there further discussion? Further discussion? Senator Vadalabene, did you wish to close?

SENATOR VADALABENE:

Yes, a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall House Bill 614 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 3, 1 voting Present. House Bill 614 having received the required constitutional majority is declared passed. If I might have the attention of the Body, we have a very special guest with us today. And Senator...Senator Kenneth Hall will introduce her.

SENATOR HALL:

We indeed honored today to have in our presence Congress-

man Shirley Chisolm, and one of her long-time friends, Senator Newhouse, will introduce her to this Body. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Senator Hall. Thank you, Mr. President. It indeed gives me a great deal of pleasure to...to present a friend of longstanding. Former Congressperson Shirley Chisolm started out in a state legislature similar to this in New York where she served eight years, and she served fourteen in the Congress of these United States. I think that bit of background, however, is just an introduction to one of the most dynamic persons in this country, one of the real movers and shakers in all kinds of movements, and it gives me great pleasure to present to this Body the Honorable Shirley Chisolm.

HONORABLE SHIRLEY CHISOLM:

(Comments made by Shirley Chisolm)

SENATOR HALL:

Thank you, Congressman Chisolm. She is a professor out at Sangamon State. She's doing a tour here until the end of June, so we're indeed honored to have her here today. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...615, Senator Welch. House Bill 619, Senator Buzbee. House Bill 620, Senator Buzbee. House Bill 621, Senator Lemke. Is Senator Lemke on the Floor? House Bill 622, Senator Barkhausen. House Bill 626, Senator Berman. Senator Berman on the Floor? House Bill 627, Senator Davidson. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 627.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, it does exactly what it says on the Calendar. This will keep us from having to do every year redo this for...in relation to funding summer school for special education. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 627 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 627 having received the required constitutional majority is declared passed. Is there leave to get back to 628? Leave is granted. 629, Senator Maitland. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 629.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 629 would amend the School Code to authorize school districts to file an amended tax certificate within twenty days of notification of the official county multiplier issued by the Department of Revenue. As most of you know, most school districts are required to file their tax levy certificates by the fourth Tuesday of December. This is well in advance of the time that the multiplier is issued by the State, and many times this seriously impacts the...the access to the formula of a

particular school district, and every year we, in this Body, are forced to appropriate extra dollars to some schools who have not been able to access the formula completely. This would eliminate that problem; in fact, would save the State money, because as I think all...you also understand, the initial appropriation to the resource equalizer is all out and gone and these schools come back for what is truly, rightfully theirs and that takes an additional appropriation. I believe this bill is long overdue and will eliminate that problem, and I urge its support.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Sommer.

SENATOR SOMMER:

Just...a question. I happen to be glancing at my Farm Bureau sheet here and they say they're opposed to it. Perhaps you could tell us why they would be opposed to it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland.

SENATOR MAITLAND:

I...I really don't know. I...I...I...I guess I'm embarrassed that I was not aware that they were opposed to it. This merely takes the...the school district back to their...to their referendum approved rate, and that is not an increase in taxes without a referendum or anything like that. It simply takes them back to their statutorily allowed rate.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Just to call attention to the members, 629 is, as Senator Maitland described, one approach to dealing with the problem of a school district which all of a sudden finds itself no longer meeting the qualification rate. There is another bill which also came before the Revenue Committee, House Bill 930, which dealt with the same

subject. I believe House Bill 930 was a School Problems Commission. While the Revenue Committee did permit both bills to reach the Floor, partly because we were under time constraints at the time, I think, on reflection, at least several of us believe that this bill, House Bill 629, is the better of the two. Partly because it does only what it is intended to do and does not open up any larger gaps in the process, and I think that makes a great deal of sense. So, I would strongly encourage support of House Bill 629.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall House Bill 629 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 54, the Nays are 2, 2 voting Present. House Bill 629 having received the required constitutional majority is declared passed. House Bill 630, Senator Kustra. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 630.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This bill amends the Unemployment Insurance Act by providing that the term...the term "employment" does not include service performed by educational interns in the employment of a school district. The bill deals with educational interns employed by a school district for the purpose of attaining experience. It was not intended that they should be eligible for unemployment compensation and this bill would provide for that. It received a unanimous vote in Labor and Commerce,

and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 630 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 59, the Nays are none, none voting Present. House Bill 630 having received the required constitutional majority is declared passed. House Bill 631, Senator Berman. Alright. 32, 33...alright. 635, Senator Demuzio. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 635.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DENUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 635 is introduced as a result of the State Board of Education to repeal the liability insurance requirement and the indemnification provisions that are included in Section 1301 of the School Code. Section 1A-5 is no longer necessary because the board has never purchased the insurance that was required in Section 1A-5 and, therefore, they are seeking it to be repealed. I don't know of any opposition to this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 635 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are...57, the Nays are none, none voting Present. House Bill 635 having received the required

constitutional majority is declared passed. House Bill 637, Senator D'Arco. Is Senator D'Arco on the Floor? Senator, do you wish to call that one? Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 637.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill simply provides that for park district employees the pension benefit would be commenced at the time...wait a minute, let me get this straight...the ordinary disability benefit for employees would begin at the date of the disability when...the date the disability commences rather than the date the disability occurs. What that means is, if a man is disabled right now, the salary at the time the disability occurs is the...based on his pension benefit, this would allow it to commence at the date the disability commences. So, if he does receive a higher salary, he can attain that benefit. The Pension Law Commission approves the bill, and I don't know of any opposition. There is also...was it...an amendment was added to allow general member...General Assembly members to transfer credits and credible service accumulated under that fund and to pay back into the fund to allow for that credit and credible service. I don't know of any opposition to the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Keats.

SENATOR KEATS:

I appreciate it, I'd like to ask a...a question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Keats.

SENATOR KEATS:

As specific as this bill is, it is obviously introduced for someone very specific. Could you perhaps just mention the name and save us all the trouble so we know exactly whose pension we're voting on?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

It has nothing...it has nothing to do with the General Assembly Pension. All this says is that if a member of the General Assembly had worked for the park district and did not pay into the pension system when he did work for the park district, he could pay into the system and with the amount that he should be paying into the system elect to participate in the system. So, it has nothing to do with the General...Assembly Retirement System.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

I appreciate that. I...I completely understand it has nothing to do with the General Assembly Retirement System, but was this guy a lifeguard on the beaches in Chicago...now...I mean, who is the member who we are buying in for who worked for the park district and didn't buy in who's now a member? Did he mow lawns for the park district? I mean, is it a member we all know and love and for some reason feel the need to help?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

You mean...oh, I understand what you're trying to say. I understand. There...I...I'm not sure I understand the question, but...

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, I disagree that this does not affect the General Assembly Retirement System because it does. What happens is, when a serving member establishes credit in another system, they can revolve it back into the General Assembly system. It would seem to me that this...that...this is the intent of the...the thing to allow somebody to...to double-dip the pensions, so to speak. We confronted this issue before, and I...I do think it does affect the General Assembly system, but in a...in a minimal way if you want to do this. I'm not going to do it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion?...Senator D'Arco may close.

SENATOR D'ARCO:

That's not the intent of the bill. The intent of the bill is to merely allow...allow a consolidation of...of pension benefits in...so that the pensioner can get one check instead of two checks or three checks, or...you know, no, but that is...really, I understand what you're saying and that's not...that's not the intent of the bill at all.

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Savickas, he was closing. Senator Savickas.

SENATOR SAVICKAS:

Well, the intent of the legislation was not to get involved into the General Assembly Fund. Senator Keats, this wasn't for a lifeguard or any other silly thing for you to pop up. The intent of the legislation was that some of us that have served on different municipal payrolls have funds in the county, the State or the city. I don't need this for the General Assembly; I've got twenty years in here so there's no way that I would want to tie in any of that time.

It was to consolidate the pensions from the State, county and city into a park district fund. After this was introduced, it was said that you don't need that, you would just take the...the different proportions from each fund. It probably costs more to consolidate them, so this bill is one way or the other. So, your silly remarks, Senator Keats, had nothing to do with this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Further discussion? The question is, shall House Bill 637 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 32, the Nays are 17, 1 voting Present. House Bill 637 having received the required constitutional majority is declared passed. House Bill 638, Senator D'Arco. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 638.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

Okay, this bill simply provides that...the other bill was for ordinary disability, this is for duty disability, and it simply provides that the...the salary would commence at the time the disability commences rather than at the time the disability occurs. There are no amendments on this one, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 638 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish?

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3rd Reading

Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 638 having received the required constitutional majority is declared passed. House Bill 639, Senator D'Arco. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 639.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This simply provides that the retirement annuity reserve for the park district be credited with regular interest instead of four percent interest. All of the annuity funds are credited with six percent interest and this would simply allow it six percent. The four percent is a bit antiquated, and I would ask for a favorable vote. Pension Laws Commission recommends approval.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall House Bill 639 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 639 having received the required constitutional majority is declared passed. House Bill 644, Senator Netsch. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 644.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This bill is a...what one might call, the carrot approach to attempting to increase the accuracy and integrity of assessments in the State of Illinois. All of us know that the property tax, which is a major component of our tax structure, is highly dependent on the quality of assessments. We've tried a variety of approaches in the past. This one which was recommended by Representative Hastert I think is a very good and interesting one. What it does is to say that the assessing officials who meet certain standards of accuracy with respect to their assessments will be paid a bonus, and the level of...that must be met is, the median level of assessment must be no more than five percent above or below the statutory level of thirty-three and a third percent of market value and the coefficient of dispersion must be no greater than twenty percent in 1984, and then that standard increases over the next several years. It addresses in a very direct and I think very sound and interesting way a major problem with the property tax system in this State. I would be happy to answer questions. I would solicit your support. The Revenue Committee liked the idea very much and reported the bill out 10 to nothing.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Mr...Mr. President and Ladies and Gentlemen of the Senate, I rise in support of this legislation. As Senator Netsch has indicated, it does provide positive support for those assessors that do their job in exemplary fashion, and I...I, too, would encourage your support.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall House Bill 644 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...56, the Nays are none, none voting Present. House Bill 644 having received the required constitutional majority is declared passed. House Bill 645, Senator Darrow. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 645.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, what this legislation does is allow prisoners of war who own pickup trucks to apply and display POW plates. In downstate Illinois there are a number of individuals who have pickup trucks but do not have vehicles...or automobiles. Some of them are prisoners of war and they would want to display their POW plates. This legislation would allow them to do so. There is also an amendment put on by Senator...Vadalabene which allows survivors of Pearl Harbor to have special plates also on their pickup trucks. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 645 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 645 having received the required constitutional majority is declared passed. House Bill 646, Senator Luft. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 646.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Ladies and Gentlemen, House Bill 646 allows a recovered disabled teacher who resumes service and again finds that disability prevents her from working within ninety days shall receive the original benefit contingent upon the confirmation of two physicians. Presently, under the current law they would have to go back and file papers, and this just simply says that if they find that disability does prevent them from going back to work, they go back at the same benefits they were receiving.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? Senator Grotberg.

SENATOR GROTEBERG:

Are we...are we talking about 646?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft.

SENATOR LUFT:

Yes, we are, Senator. 646 was amended deleting everything after the enacting clause and incorporating language that I just tried to interpret.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there...further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

In our analysis we only have the bill as it was and we don't have the amendment. In other words, your amendment

then refers to disabled members of the teaching profession,
is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft.

SENATOR LUFT:

I'm sorry, I didn't hear her.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Your amendment referred to disabled members of the teach-
ing profession?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft.

SENATOR LUFT:

That is correct.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? The question is, shall House Bill
646 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
50, the Nays are 8, none voting Present. House Bill 646 hav-
ing received the required constitutional majority is declared
passed. House Bill 647, Senator Holmberg. Read the bill,
Mr. Secretary, please.

SECRETARY:

House Bill 647.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Holmberg.

SENATOR HOLMBERG:

This bill as amended deleted everything after the enact-
ing clause. We discussed it the other day as the amendment
was put on. It simply allows a teacher on disability retire-

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3rd Reading

ment benefit to substitute the age retirement allowance for the disability retirement when she reaches the age at which she can do so.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The...the question is, shall House Bill 647 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 54, the Nays are 3, none voting Present. House Bill 647 having received the required constitutional majority is declared passed. House Bill 653, Senator Bloom...read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 653.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Yeah, the bill does exactly what the synopsis says it does. It provides a...a monetary break for peace officers who have to get their firearm...firearm owners ID card. Answer any questions; otherwise, ask for a roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 653 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 653 having received the required constitutional majority is declared passed. House Bill 655, Senator Lemke. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 655.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke. Senator Lemke.

SENATOR LEMKE:

What this does is amends the Civil Administration Code to make conservation orders...officers in the same status as the rest of the police officers who keep the peace in the State. I think it's a good bill. I think it's a long time that we...our conservation officers have the same powers. I ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? Senator Grotberg.

SENATOR GROTBERG:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Grotberg.

SENATOR GROTBERG:

...the...the...always the question is, can they carry firearms under this?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

They can now, they take their training. What this does is...the only power they don't have is the service...service of process, but they have everything else.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg. Further discussion? Further discussion? The question is, shall House Bill 655 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 46, the Nays are 6, 2 voting Present. House Bill 655 having received the required constitutional majority is

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3rd Reading

declared passed. House Bill 657, Senator Egan. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 657.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. House Bill 657 provides an alternative to residential burglary. It defines and sets out the offense of criminal trespass to a residence. Presently, residential burglary is a Class X Felony requiring a four-year nonprobational sentence, and the...the problem arises that there is need for an alternative and we did not want to carve out exceptions from the Class X Felony, so this is being offered as an alternative, and I know of no opposition to the concept. We...it received the full attention of the Judiciary II Committee, and I commend it to your favorable consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Grotberg. May we have some order, please. Senator Grotberg.

SENATOR GROTBERG:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Grotberg.

SENATOR GROTBERG:

Senator, for the record and for this Body, would you reiterate that this, in fact, is the alternative to incarceration that we passed last year? The...we...we're sending home burglars to jail now and they're getting out much too early, but this is an alternative...what is the sentence on this Misdemeanor One?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

Yes, this is a Class A Misdemeanor. It...it...it provides that a person who enters or remains in a building that he knows or should know has no right to be there, if it's a residential building...is committing a offense not as serious as residential burglary, and it is an alternative to the Class X Felony. And without carving out any exceptions from the Class X Felony, this is an alternative provision, and it is a Class A Misdemeanor.

PRESIDING OFFICER: (SENATOR BRUCE)

Further...

SENATOR EGAN:

Well, the sentence is...Class A Misdemeanor is a...a thousand...thousand dollars and up to one year in jail...in...in the county jail.

PRESIDING OFFICER: (SENATOR BRUCE)

...further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. For Senator Grotberg's edification, we have these cases whereby somebody is walking around the neighborhood, goes into a residential building without breaking or entering or anything, is just found in there maybe intoxicated and fell asleep or something like that and there's a gap in the law that this ought to cover. This...this...I don't really think, Senator Egan, is...is a real alternative to residential burglary, but it covers those cases where somebody is in a premise where they have no right to be, and...but not having broken in there's a gap in the law and this will cover that.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR HALL:

Will the sponsor yield for a question? Senator, if a person is intoxicated and...that he happens to be in the building, are...are...are you telling me that he faces a year in...in jail? Is...is that right?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR HALL:

If...if...or either that it's someone who has no place to stay and he gets out of the weather? If he's just in there, not molesting the property or anything, he stands to have a year in jail?

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please. Senator Egan.

SENATOR EGAN:

Well, presently, the law would require that he be charged with a Class X Felony which is a four-year nonprobationable term. This is a...a substitute for that. Perhaps substitute is the wrong word, perhaps alternative is the wrong word, but it allows for the...a lesser offense to be placed against such an individual. All of those circumstances being mitigating, mitigate against a...rather a Class X...a Class A Misdemeanor than a Class X Felony. So, I think what we're doing is accommodating that fellow indeed. If he is not supposed to be where he is found, we'd rather charge him with a Class A Misdemeanor than a Class X Felony with this legislation.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

And...I know and I hear what you're...what you're saying, and...and I guess it is...what you're doing is better than what we...what we have under the circumstances that exist in those cases that Senator Hall referred to. But even this, you're saying that this person commits criminal trespassing. So, in other words, that person who...who is found in an abandoned building, that comes in out of the cold because he or she does not have a place to sleep, and you can find a lot of those in the City of Chicago, that person commits...can be charged as a criminal for getting out of the cold?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

Yes. Senator Collins, residence is defined as being, "Shall only include the portion of the building or complex which is the actual dwelling place of any person." And if you like drunks falling into your house, I don't like them in mine, and...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Well, I don't like...drunks falling anyplace, and I...I associate with them, you know, in many instances. I...I appreciate that, I didn't see that part in the bill. I was very much concerned about those abandoned buildings in areas where people who are on the streets and have no place to stay and find...try to seek shelter at night out of the cold, and I most certainly wouldn't want society, after having rejected those people and neglected those people, to...have to classify them as being criminals for simply seeking bare necessities of life.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall House Bill 657 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 2, 1 voting Present. House Bill 657 having received the required constitutional majority is declared passed. For what purpose does Senator Jones arise?

SENATOR JONES:

A personal privilege, Mr. Speaker. In the President's gallery we have two girl scout troops from...one from...Girl Scout Troop No. 149 from... (machine cutoff)...and Girl Scout Troop No. 175 from Dalton, their den...den mothers and escorts who are here with us in Springfield watching government in action. I'd like the...the Body to recognize them in the President's gallery.

PRESIDING OFFICER: (SENATOR BRUCE)

Would our guests in the galleries please rise and be recognized by the Senate. Welcome to Springfield. House Bill 662, Senator Jones. Read the bill, Mr. Secretary, please.

END OF REEL

*HB 666
3rd Reading*

REEL #2

SECRETARY:

House Bill 662.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. House Bill 662 is a bill that passed out of here...a Senate Bill that passed out of here a couple of weeks ago. What...662 does is it provides that all proceeds from the lottery go into the Common School Fund. We debated this issue extensively on the Senate Floor, and the bill passed out and this bill is identical to that piece of legislation, and I move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 662 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 59, the Nays are none, none voting Present. House Bill 662 having received the required constitutional majority is declared passed. House Bill 666, Senator Hudson. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 666.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 666 simply does what your...the Digest says it does. It defines viability to mean, "that stage of fetal...development when in the medical judgement of the attending physician, based on the particular facts of the case before him, there is a reasonable likelihood of sustained;" and it changes "more than momentary" to "sustained survival of the fetus outside of the womb, with or without artificial support." And I would ask for favorable consideration of this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 666 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 666 having received the required constitutional majority is declared passed. House Bill 667, Senator Demuzio. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 667.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DENUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 667 increases the maximum interest rate assessed by the court for original and additional drainage district assessments from seven to nine percent. If a contract has been made for the sale of bonds or tax anticipation warrants or other evidences of indebtedness, such shall not bear interest rates exceeding a hundred and twenty-five percent of the rate payable on twenty-year

general obligation municipal bonds published in the Bond Buyer. Amendment No. 1 was put on the bill to reference the interest rate ceilings that are applicable to bonds in...something we have done in this Legislature for the last year, I think, and I know of no...opposition to this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? The question is, shall House Bill 667 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,...or 58, the Nays are none, none voting Present. House Bill 667 having received the required constitutional majority is declared passed. House Bill 670, Senator Geo-Karis. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 670.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, House Bill 670 was amended so that the amendment is the bill, and it...it's replaces it...the amendment replaces the House Bill 670 with the "Substance Abuse Treatment and Prevention Act" which creates the Department of Substance Abuse. This new department would assume the functions of Dangerous Drugs Commission, the Division of Alcoholism, the Department of Mental Health and Developmental Disabilities. And I might tell you that this was the legislation that was recommended by the House Joint Resolution 22 Committee after completing its deliberations and hearings on the consolidation of drug abuse and alcoholism programs, and has been supported by the Illinois Alcoholism Council and Certification Board. I move

for its passage.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Simply to confirm what Senator Geo-Karis has said, this bill now incorporates the basic agreement of the special joint committee created pursuant to HJR 22 to deal with the question of consolidation of alcoholism and drug abuse agencies. It was the unanimous recommendation of the members who were present at the meeting at which we dealt with our recommendation, and I would strongly urge its support.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Thank you. Well, I would like to ask a question of the sponsor. First of all, I want to point out here that what we're doing here is creating a new department. And for those of you who are opposed to spending more money in government through the hiring of more bureaucrats and...and imposing upon the already overburdened...overburdened system, this is what you're doing. You're creating a whole brand new department. And I would like to ask the sponsor, what is the Governor's position on this creation of a new bureaucracy?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I don't know what the Governor's position is on this so-called bureaucracy, but I do know this, that you're combining two departments in one and putting them under the Department of Mental Health and Disability, and...Developmental Disabilities, which would seem to me that we are going to save some money and do a better job.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

From now on, Senator, would you just answer yes or no, please. My second question is, has the...has the Senate Committee on Reorganization held any hearings on this bill?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I know...I'm not sure, but I would like to ask the chairman of that committee to respond. But I can tell you this in yes or no, I don't know; and, furthermore, I do know that the committee of the...under House Joint Resolution 22 did have hearings on June 1, June 14 in Springfield, June 13 in Chicago to review the subject. And on June 14, the committee voted to recommend, by this amendment, the consolidation of drug and alcoholism programs into a new department called the Department of...of Substance Abuse Treatment and Prevention Act.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

I'm not a lawyer, Senator, and I'm sure glad I never have to face you in court. But I would...I would just point out that what we're going into here is something we have no idea what the Governor's position on, and what...what his position is. We're going into the creation of a brand new department, and this so-called...combining of two existing agencies; that really isn't so, because the Division of Alcoholism is presently in the Department of Mental Health and Developmental Disabilities, and there is a commission on dangerous drugs. Perhaps at some point down the line this might be a good idea, I don't know. I have absolutely no idea whether it's a good idea or not. I have people who've lobbied me in favor of it, and now I'm getting a tremendous number of people

lobbying me opposed to it. However, I will tell you this, I took the position of being opposed to be before anybody called me to tell me they were opposed to it. I think it's a bad idea at this point; we don't have any idea of what we're doing. It's a great time to pass bills, I wish I had a few this morning because nobody seems to be paying any attention. This is the sort of thing that ought to have about fifteen lights lit up on the President's Desk wanting to speak, because we're creating a whole new department, we're going to create a new bureaucracy, and it's all done under the guise of "good government and better delivery of services." I don't know if that's true or not. I'd like to have some time to look at it. I think the Illinois Senate Committee on Reorganization ought to look at it, ought to consider it in detail. I think we ought to know the Governor's position because we're going to create something that's going to cost money. I think we ought to know if the Governor wants a new department or not. At this point, I think it's a good idea for us to oppose the bill; study it for a year or so, and then see if...if we think it's a good idea in...in about a year.

PRESIDING OFFICER: (SENATOR BRUCE)

Now, I have the following Senators who have sought recognition: Senators Weaver, Schaffer, Etheredge, DeAngelis, Jerome Joyce and Mahar and Kelly. So, that's the order, Gentlemen, of the day. Senator Weaver.

SENATOR WEAVER:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates she will yield. Senator Weaver.

SENATOR WEAVER:

Senator Geo-Karis, can you tell me why the Illinois Association of Community Mental Health Agencies oppose this?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I didn't even know they were opposed to it, but I can ask Senator Etheredge, perhaps, to respond to your question, who was at the hearings, and maybe he knows. I didn't even know they were ever opposed to it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

I just...can anyone answer it? The Illinois Association of...

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator...

SENATOR WEAVER:

...Community Mental Health Agencies has sent me a letter opposing it. I just wondered why they are opposing it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer indicates that he can answer...Senator...alright, perhaps as we go down, Senator...Senator Weaver, someone else will answer your question. Senator Schaffer, you are the next speaker.

SENATOR SCHAFFER:

Well, I rise in opposition to this bill, too. Some of the reasons, as Senator Buzbee has mentioned, and others. And I recognize that it's easy to sharpshoot the work of a...a committee. I happen to agree that the time has come to consolidate drug and alcohol treatment. Anyone familiar with the problem in the State knows that the two things are so interrelated that it is difficult to tell one type of abuse from the other as you try and deal with a client; and, frankly, it...the people end up where the money is for treatment, and if there's money for drug treatment, they call them drug abusers; and if the money is for alcohol treatment, they call them alcohol abusers. But there's one very important

point that has been missed by the vested interest groups who are promoting this bill in the attempt to garner extra funds for their particular causes, and that is that anyone familiar with the mental illness portion of the budget of this State and the mental illness institutions in this State knows that just as drugs and alcohol are interrelated, drugs, alcohol and mental illness are interrelated. One-third of the people in our mental illness hospitals in this State are connected in one way or other, at one degree or other, with a problem with alcohol and drugs. I'll tell you why the community mental health boards are against it and why the 708 boards in Lake and McHenry County are against it and why the rehabilitation clinics in the State are against it, because they recognize that you cannot separate mental illness and drug and alcohol abuse into separate, neat little niches. Clearly, the support system for the treatment of alcoholism and drug abuse depends on the Department of Mental Health. Clearly, you cannot separate these things, and should we do it, five years from now we will come back and undo it unless, unless, we are prepared to set up a separate strata for treatment of drug and alcohol abuse including institutions; unless we are prepared to, as we shut down MI facilities, open, maybe open the same ones as drug and alcohol abuse setting up a separate bureaucracy. I think that there is need to study this. If you read the bill, Senator Buzbee, you don't have to worry about the bureaucracy, that's not even spelled out, it just says we're going to do this thing, and Section 2 says, we're going to have a committee and we're going to decide what the law is going to say. This is a first as far as I know. Talk about betting on the come, it's not even there. We're voting...we're having a sword fight with a puff of smoke. Yes, this should be done. No, it should not be jammed through in the final days of a Legislative Session. We should have public hearings. The com-

munity mental health people downstate are very upset. The opposition to this concept grows hourly. It should not be jammed through. We should hold hearings this summer; we should come through with public input beyond the very limited degree the committee was able to do. This should not be jammed through. I would hope we would all put it on the back burner and study it this summer, and I know that's a cliché, study around here means tube trip or oblivion, that's not what I mean. We need to do this. I don't think this is the proper thing we should...if we're going to do it, we should have the total bill before us, not passed on the concept and fill in the blanks later. This isn't high school, this isn't fill in the blank time, this is the...pardon me, the Illinois State Senate and what we do impacts on the lives of people and on the taxpayers' pockets, and this is a concept whose time has come, but a bill whose time has not come.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, I rise in strong support of this legislation. It has been suggested by...by one of my colleagues that more study is required on this subject. It has been suggested by another colleague that there is an interrelationship between alcoholism and drug abuse and...and mental health that requires those three things to be bound tightly together. I would suggest to the first point that this issue has been studied, literally, for years. This is not the...possibility of combining these agencies is not a new idea. House Joint Resolution 22 established a committee this spring to review all the information that has been gathered over the past months and...and years, and has brought forward this...this recommendation. I think it is a...I think it is a solid recommendation, and I think it...it is one which should be sup-

ported by this...by this Body. We are not creating a new bureaucracy. The bureaucracy is already there. What this is going to do is to streamline that bureaucracy. What we are trying to do is improve service to client, and I...to our clients, those...those of our citizens...and by the way, during the testimony that we heard during our hearings this...this past spring, it was pointed out that as many as ten percent of the citizens of...of Illinois have problems with...with drugs or with alcohol. So, this is a...a pair of services that impact on a very significant numbers of our...of our citizens. What we're trying to do is to make it possible for the State's programs, the programs supported by the State of Illinois, to better serve this group of people. It has been suggested that the relationship between drug abuse and mental health is so strong that they...they need to be bound together. I would suggest to you that there is a relationship between drug abuse and alcoholism and the services provided by the Department of Public Aid as well. You could go through the entire listing of the State's departments and services, and you will find that those people who abuse substances are served by a wide variety of the State's programs. I think that what we really need, what we really need, is to bring the mental health...bring the drug abuse and the alcoholism programs together and then develop strong relationships between that new combined department and all of the other departments that provide services which are needed to these people. I urge you to support the recommendation which has come out of the House Joint Resolution 22 Committee. This is not something that has been developed overnight, it is a studied response to a very real need. Please vote Aye.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. Many of the things that have been talked about by the opposition were, in fact, discussed in that committee. You will have an opportunity to have more hearings and participate in those. This bill only creates DSA in name only. The legislation on how it's going to be done is forthcoming, and it will be done before next July, which is what the bill says. But also in the bill, if it looks like it cannot work, the plan can be aborted as well. So, the thing is not fixed in concrete. And, Senator Schaffer, a lot of the concerns that you expressed were expressed in that committee, including my...myself. But let me point out, when we talk about interrelationships, you can attach any relationship to mental illness you want to. In fact, there's a strong interrelationship between mental illness and unemployment, and I'm not in favor of putting the Department of Mental Health in DCCA, or DCCA in the Department of Mental Health. But there is a closer relationship between chemical abuse, which is drug and alcohol. And I might point out to you as somebody who's had some experience with mental health from an observer in Region 2, the alcoholism program in that area is separate from the mental illness program, quite separate from it. Now, the intent of that committee was to find a logical way in which to put two entities together that are more interrelated than some of the other things, and that's all that this bill does. It tells us that we have a year in which to...not a year, but by the next Legislative Session, to decide on how to do this. If it doesn't look like it can be done, it won't be done. And if it won't be done right, it won't be done either. But it will give everybody the opportunity to participate on how it should be done, and that's why this bill is written this way. The criticism that's being levelled at this bill is correct. It isn't much of a bill, but the fact is that we are leaving it open because there's a lot of work that has to

be done between now and the first of July.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce. Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Most everything...I...I rise in support of this...this bill, and most everything has been said. All I can say is that we have been studying this thing for the last ten years. If you go back to the 78th General Assembly, you'll find we were studying the problem, and we're still studying the problem; and the problem is one, I think, that...that must be solved, and, of course, the real problem is money. It seems to me that the Division of Alcoholism is always short of funds. All they can do is take care of the people that are sick, there's...there's no way they can take care of the people who are on the borderline cases and need some help and prevention education. So, I think this is a step in the right direction and that we should support this legislation.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. In the south suburbs of Cook County, which I represent, we have one of the best alcoholic treatment programs in the State of Illinois. The executive director, Newt Haney, contacted me personally and asked me to support this bill. And I, like many others on this Floor, am not an authority on this subject, and I'm not sure; but I'm looking to an authority, a man who is a professional, who's done an outstanding job and a specialist in his field, and when he asks me to support a bill like this, I'll be glad to. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate.

I rise with very strong mixed emotions about this...particular piece of legislation. I do, in fact, support the concept and recognize the need for greater coordination and cooperation between the drug abuse and alcohol divisions and the State. However, my reservations are based on the fact that one of the speakers indicated that this legislation, the...the actual legislation for the administration and operation of this agency would be forthcoming. Another speaker indicated that this problem had been studied for ten years, and yet, there had not been a solution to the problem. Then I cannot understand, why is it necessary, at this time, that we pass a bill to create an agency without clear information as to how we are going to implement of this agency will function? I have been receiving calls from local community mental health agencies from my area who has a lot of concern about this bill, and the reason they have the concern is because there is nothing there that they can see as to how this agency going to operate in the future. Now, God knows, these people have enough problems on their minds wondering whether or not the agencies will be open at all after July 1, than to be worried about a future, something that is to come somewhere down the line in the future that will most certainly impact on the agency, and they don't know whether it is positive or negative. I just think that it is a bad...it's a good concept but a bad time. And for that reason, I'm going to vote Present.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have just recently come aboard on this committee. This bill was introduced in April. I questioned at the time, when we had a meeting here in the Capitol, where were all the

people...if there was anyone opposed. There was no one sitting in that room that was opposed to this consolidation. I have never seen a lobbying group that did the job that this group has done. You felt like closing your office door; every time you looked they were in there in pairs. As a matter of fact, I asked the question in the committee, who is minding the store? The room downstairs on the first floor was full, full of people who evidently worked for these agencies asking that we consolidate. The question that I asked was that we're talking about creating a new agency, a new director, a new...and we're criticized now for so. The trend has been to combine them. I was told at this hearing that you actually would be reducing by one. The reason I'm saying this, where were all these people all this time, since April, until today? Then they start to writing you in this regards. I questioned that at that time. Now, I don't know what they have done since April to June that they never contacted us, and that's...the reason that I'm supporting this bill. There are a couple of bills...I even said this, I think the Governor has got a bill around here to change the director of the Department of Mental Health. He...says it doesn't need to be a medical doctor. There's some people around here...there are several bills the Governor has got floating around here to do something in the Department of Mental Health. Everyone in this department says that they do not get the proper treatment from the Department of Mental Health; and when the Governor made these cuts, or whoever made the cuts, was that when they looked around, they came up on the short end. I know I'm questioning something that was over three hundred thousand dollars that should have gone into the district where I am, and all of a sudden the money disappeared. I...out of the Department of Mental Health, and then you ask and you can't seem to find out who the person was. It's very, very strange that we can wait till the eleventh hour,

and then all of a sudden here comes the complaints. I'm just befuddled to think if a bill has been in, passed out through the House, came over here, and here we are on this day in June, and now someone's coming up saying that they're opposed to the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Let's see, I have Senators Netsch and Etheredge who wish to speak a second time. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I wanted to do only one thing, add only one thing to the discussion, and that really was to respond to the point that, I think, Senator Collins was raising, and that is, why now. As others have indicated, the suggestion that there be a consolidation of the substance abuse programs has been floating around for a long, long time but it has never been settled. It was...became evident that there was going to be some activity this year, and I think the important thing is that the...the fact of consolidation and its basic direction be settled so that there can be some stability restored to the...the substance of these two programs. So many of the people who are involved in these two areas have been spending so much of their time trying to get this issue resolved, and there has been enough instability as a result of that that it has been unsettling, I think, to everyone in both of these programs. The reason why we wanted to get the basic question resolved now was so that they would know precisely what was going to happen, not the details of it, we've got lots of time to work those out, and we will get lots of input on how to work them out; but so that everyone could put aside the...this ever present question of, are we going to be consolidated and, generally, how is it going to be done, and get back to what they are basically about, and that is, treating people who have substance abuse. That,

Senator Collins, is why the decision was made to get that issue resolved and then allow time for working out the details.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, I, too, apologize for rising a second time on the issue, but the issue is a very important one and I think it's worthwhile to...to underscore a statement which was just made by Senator Netsch. Under the terms of this legislation, the consolidation will take place on July 1, 1984. Between now and then the House Joint Resolution 22 Committee, which has conducted hearings this...this spring, will continue hearings between now and the fall, at least to identify the details of this...how the consolidation could best take place. So, there...the effective date of the consolidation is more than a year away and there will be a great deal of additional study go into the determination of how the consolidation would work. Once again, I urge your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

I apologize for talking a second time on the issue, but I thought I...at least one issue has not surfaced that probably should so everybody knows what's on the table. But, Senator Hall, the reason you haven't heard from these people is, those were the ones that stayed home and minded the stores, everybody else came down here and lobbied for the bill. Frankly, another thing, it's probably unrealistic to expect these agencies to summon up much courage when the people who handle their grants are out promoting the bill. That does tend to inhibit free expression of thoughts and ideas, and it takes a little while for them to summon up some courage. But

the one issue, of course, that has not surfaced, which ought to be on the table before we vote on this, is that for years when our friends in the drug treatment area were rolling in Federal dollars, they had little but distain for their lesser brethren in the alcohol treatment area. Now that the Federal dollars have dried up, their interest in general revenue dollars has increased rather dramatically, and one cannot blame some of the community agencies for being a trifle nervous when the hungry wolf appears at the door with a new idea; an idea that up to this time when they were blessed with the largess of the Federal Government, they weren't too interested in. And when we see that the alcohol prevention programs were sucked up by the wolf already, and we see that many of the other alcohol treatment dollars were, shall we say, grabbed by the wolf, one cannot blame people for worrying a little about what is the agenda.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Collins, for a second time.

SENATOR COLLINS:

I apologize for rising a second time, but I just have to rise and say ditto to Senator Schaffer's last comments.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis, do you wish to close? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr...Mr. President and Ladies and Gentlemen of the Senate, I would like to point out that there will be hearings and it...over the fall and the summer...summer, and some legislation is going to crop up in the fall Session that will implement the bill. The Catholic charities, the Illinois Probation Association, the Illinois Medical Society are supporting this bill. The Alcoholism and Drug Dependents Assistance from Ottawa, Illinois is for it, the Decatur Alcoholism Council for the Decatur area is for it. I can go down the

line, there's a whole flock of supporting people and...and agencies for this bill. I think it'll...it's a step in the right direction. We've got to try and do a better job than we've done before and this is an effort to do so, and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall House Bill 670 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 46, the Nays are 11, 1 voting Present. House Bill 670 having received the required constitutional majority is declared passed. House Bill 673, Senator Keats. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 673.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This was a Consent Calendar bill in the House, came out of Senate committee 10 to nothing. What this bill says is that in terms of redemption rights, the State's rights are the same as everybody else. They get their sixty days from foreclosure or determination of abandonment, whichever is later, just like everyone else. So, it does speed up the proceedings, and it's supported by the Savings and Loan League, and I'd be more than happy to answer any questions anyone has.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall House Bill 673 pass. Those in favor vote Aye. Those opposed vote

HB 676
3rd reading

Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 673 having received the required constitutional majority is declared passed. House Bill 674, Senator Watson. House Bill 675, Senator Rupp. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 675...House Bill 675.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. This bill amends the Downstate Teachers' Retirement Article of the Pension Code. It was requested by the...or Downstate Teachers' Retirement System. Provides that the purpose...for the purpose of determining pensions, the salaries shall be the actual compensation received by the teacher, and then recognized by the system in accordance with their rules of the board. What has happened in some instances, there has been some artificial or additional payments made during the last year of employment in order to possibly distort the basis for the pension. This would eliminate that. It seems reasonable, I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall House Bill 675 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 675 having received the required constitutional majority is declared passed. 676, Senator Netsch. Read the bill, Mr. Secretary,

please.

SECRETARY:

House Bill 676.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This bill was the work product of a joint subcommittee on State Taxation of the Illinois and Chicago Bar Associations with consultation and help from the DuPage County Collector and attorneys for the Cook County Collector. It deals with the payment of interest on those whose taxes were paid under protest and to ultimately prevail. As you know, the...we did not used to get interest paid. A Supreme Court opinion...a U.S. Supreme Court opinion was highly critical of that. We passed a bill under Senator Bowers' leadership a Session ago to address that, it hasn't quite worked terribly effectively. This bill, we believe, will make the whole system work much better. It is virtually identical to Senate Bill 134 which the Senate earlier passed this Session, with one major difference, the interest to be paid to the taxpayers on refund is five percent in this bill; it was nine percent in the earlier bill, and some of us had concern about that level before. So, I think this is much more to our liking. I would be happy to answer questions.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Is there any discussion? Senator Zito.

SENATOR ZITO:

Thank you, Mr. Pulled Muscle...I mean, Mr. President. This is identical to a bill that I had and passed, and would ask Senator Netsch if I can be a hyphenated chief sponsor.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Netsch.

HB 682
3rd Reading

SENATOR NETSCH:

You are more than welcome, we are delighted to have you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there leave to have Senator Zito added...added as a cosponsor? Leave is granted. Any further discussion? If not, the question is, shall House Bill 676 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 676 having received the required constitutional majority is declared passed. 682, Senator Bruce. Read the bill, Mr. Secretary, please.

SECRETARY:

(Machine cutoff)...682.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. This deals with the Downstate Firemen's Pension Fund. Deals with the unfunded accrued liability, putting them on a forty-year schedule. Also deals with the hiring and...of the enrolled actuaries employed either by the Department of Insurance or an enrolled actuary retained by the Pension Fund. Senator D'Arco's amendment has been placed on the bill. With the amendment, it is approved by the Pension Laws Commission. It's supported by the Illinois Professional Firefighters and the two hundred and eight firemen's funds. They would like to have this bill so they can have a...a better hold on the unfunded accrued liability and the actuarial status of their pension funds. Ask for your favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 682 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 682 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading, bottom of Page 11, is House Bill 684. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 684.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 684 as amended is identical to Senate Bill 1035 that we passed out of here as part of the Prairie State Two Thousand program. It defines agribusiness and it relates to the Farm Development Authority. I would be glad to answer any questions if there are any. If not, I move for a favorable consideration.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 684 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. House Bill 684 having received the required constitutional majority is declared passed. Senator Rigney, on the top of Page 12 is House Bill 685. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 685.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

House Bill 685 merely allows smaller downstate communities, those under five thousand population, if they so desire, to appoint a village clerk rather than to elect one. Apparently, in some of our downstate communities it's rather difficult at times to find a candidate for the office of village clerk, and they'd simply like to be able to make an appointment.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 685 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. 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 685 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 687. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 687.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Mr. President and Ladies and Gentlemen of the Senate, House Bill 687 amends the School Code by...Code by requiring...parent-teacher advisory committees to be estab-

lished in downstate school districts to develop policy guidelines regarding...student discipline. Amendment No. 2 added the City of Chicago; and Amendment No. 3 pertained to a problem that I have in my legislative district, that I understand Senator Kustra has a bill that's very similiar, and that is to extend the...a school district board of trustees or a school board where there's been a consolidation of elections. I know of no opposition to this bill.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 687 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. House Bill 687 having received the required constitutional majority is declared passed. Senator Sangmeister. On the Order of House Bills 3rd Reading is House Bill 689. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 689.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. Presently, as you know, we have a...a crime on the books called criminal trespass to vehicles, and with...simply what the House, in its infinite wisdom, thought we ought to do, and I hope you concur, is to add snowmobiles to other vehicles to which there can be criminal trespass. Be happy to answer any questions. If not, a favorable roll.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 689 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, 1 voting Present. House Bill 689 having received the required constitutional majority is declared passed. On the Order of House Bills 2nd Reading, House Bill...3rd Reading, House Bill 690. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 690.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Excuse me, Mr. President, I believe on 690 there has been an amendment filed and that will have to go on recall.

PRESIDENT:

I beg your pardon.

SENATOR SANGMEISTER:

Is that correct or not, I think it is?

PRESIDENT:

That is correct.

SENATOR SANGMEISTER:

Alright.

PRESIDENT:

Take it out of the record, Mr. Secretary. I understand 691 is also on the recall list. Okay. 694, Senator Kelly. On the Order of House Bills 3rd Reading is House Bill 694. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 694.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. House Bill 694 would clarify the law to provide that courts should not issue injunctions against teachers or school boards in bargaining situations if disputes arise over wages, hours or working conditions. Under this bill, a court would not issue an injunction against either party without a hearing. There's been a great deal of confusion in this area of law, and some of the judges have gotten involved unnecessarily in the teacher-school board negotiations. And we feel that this...that the court should stay out of these bargaining situations, at least as much as possible. If...if a disorder occurs or if there's a threat to life, safety or property, then the court would still be able to intervene to protect people or property. This bill would not prevent courts from doing their duty. I would ask for your support, and all this bill does is basically give a...a assurance that there would be a fair hearing before the court.

PRESIDENT:

Any discussion? Senator Keats.

SENATOR KEATS:

Okay, thank you, Mr. President. Excuse me, I was caught there and I was just getting out my notes on it. This proposal gives legislative approval to strikes by educational employees by preventing State courts from issuing an injunction against activity. So, what we're saying is, educational employees can strike specifically and the court cannot enjoin them. Now, I mentioned that just straight up so...I know some people are for that, some are against it; but I'm just clarifying...the position so you realize what this does is

take away the power of the court to...enjoin strikes in educational areas. Previously, the Illinois Supreme Court has ruled that public employees are not able to lawfully strike because the Legislature has not extended such right to them and no right to strike exists at common law, in the City versus Pana...or City of Pana versus Crow decision. Furthermore, the court has held that anti-injunction Statute amended herein does not apply to public sector strikes due to the lack of statutory authorization for such strikes. This proposal extends the legislative approval to strikes by employees of public education institutions or universities. Other public employees would not receive a right to strike under this bill. So, all you're doing, it's straight and simple, it's one on one, it's teachers right to strike and no injunction. If that's what you're in favor of, God bless you. And if you're not, at least you know exactly what it is.

PRESIDENT:

Any further discussion? Any further discussion? Senator Kelly may close.

SENATOR KELLY:

Well, I...I feel that it...what it does, it does provide the fair hearing and it allows the school board and the teachers this opportunity, and I would ask for your favorable support.

Reel #2

PRESIDENT:

The question is, shall House Bill 694 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 25, none voting

Present. House Bill 694 having failed to receive the required constitutional majority is declared lost. 695, Senator Darrow. On the Order of House Bills 3rd Reading is House Bill 695. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 695.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, what this legislation pertains to is the Downstate Public Transportation Fund. It increases from one thirty-second of the sales tax generated in a downstate transportation district to two thirty-seconds. Further, the amendment that we put on in the Senate increases the amount participants shall be eligible for from 33.3 percent of the eligible operating expense to forty percent of the eligible operating expense. And lastly, the amendment version allows participants to receive a ten percent increase over the maximum established for the preceding year. I'd ask for a favorable roll call.

PRESIDENT:

Is there any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Darrow, are you in favor for the same thing for the RTA?

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

I would have to look at the legislation. I understand that there's some reforms that you're working on for reforming the RTA, and I understand there's also a provision to increase the funding to your amount of a hundred and thirty-two million, I believe that was being kicked around. So when the legislation is ready, we'll take a look at it.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate I rise in support of this bill. This is just...us poor, old common people downstate trying to get a little share of the pot and this gives us a little chance to have a share of the pot while we work out to help those in the other northeast section. We appreciate your favorable support.

PRESIDENT:

Further discussion? Senator Rigney.

SENATOR RIGNEY:

I was kind of intrigued by the share of the pot. Do I understand what you're doing here is actually doubling the subsidy that is going back to...those local carriers?

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Well, what we're doing is, the sales tax that's generated in those downstate transportation districts is going to be increased to two thirty-seconds, Harlan.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

But the answer again is, yes, isn't it?

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Well, if you figure one thirty-second is being received now and I think we'll go to two thirty-seconds, then I think that that probably is accurate.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

...second time and I'm sorry, but what...this goes back to the...two, if this passes it'll be two thirty-seconds of the sales tax which is raised within our area to go back to help the mass transit in our area. And I don't know how it is in yours but here, locally, this is what makes up the difference for the reduced fares are charged the senior citizens and the reduced fares charged to the...to the students. It's a...equitable situation, we'd appreciate your help.

PRESIDENT:

Further discussion? Senator Grotberg.

SENATOR GROTBERG:

Thank you, Mr. President. The subject matter of this bill has been the subject matter of a task force several of us have shared for the last several weeks. The report was sent to the leadership of both Houses and to the Governor. They are now meeting every day. This subject matter will show up in a bill before sundown on June 30th, and it would...the subject matter of the bill as far as upstate and downstate...mass transit will be codified through an entirely different system, and I think it would be nice just to reject this and not confuse the issue.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and members of the Senate. About ten years ago I sponsored this initial Downstate Public Transportation Fund and it was set at one thirty-second and

it hasn't been raised in ten years and I think it's about time we consider raising it. Now whether or not we tie this to other mass transits State-wide that's one thing, but this has stood on its own for many years and I would hope that we would support this effort to increase this fund as the costs downstate have gone up just like they have in the BTA and the CTA, so I would hope we'd support it.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. As I indicated to the sponsor in committee, I fully accept the thesis that mass transportation is as critical a part of the transportation network of the State of Illinois as highways, for example. I think that the mass transit systems in downstate Illinois should have the benefit of what is, in effect, a State subsidy. I would only ask Senator Darrow and all of the others of you who are going to vote Yes on this, that when it comes time to restore the State subsidy for mass transportation in the Chicago Metropolitan Area you accord us the same respect.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield...for a question?

PRESIDENT:

Sponsor indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Now under your bill are you including communities like Lake County?

PRESIDENT:

Senator Darrow.

SENATOR DABROW:

This legislation has nothing...whatsoever to do with the RTA. It pertains to the downstate transportation district

that's made up of Bloomington-Normal, Champaign-Urbana, Danville, Decatur, Galesburg, Loves Park, Pekin, Greater Peoria, Quincy, Rock Island, Rockford, South Beloit and Springfield, it's those mass transit districts. It has nothing whatsoever to do with the RTA or with the problems in that area of the State.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, just to follow-up on Senator Netsh. Senator Darrow and Senator Davidson, it...is it correct to say that...that you will then be supportive of restoration of the subsidy to the RTA?

PRESIDENT:

Senator Darrow.

SENATOR DABROW:

I'm not going to make a blanket statement that I will without seeing the specific legislation. I...if I recall right, that subsidy was removed by agreement of the Mayor of Chicago with the General Assembly and the Governor, and a number of us over in the House at that time questioned the wisdom of that move. I would...I would make this statement, I think that the...the State should be treated equally; and that given the right legislation, I could support a subsidy or a one thirty-second or two thirty-second going into the RTA area. But I...you know, I'm not going to say definitely one way or the other. I...I think the concept should be applied to the whole State.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, no sense in opening old wounds. Doc, do you have a...

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDENT:

Sponsor indicates he yield, Senator Watson.

SENATOR WATSON:

When you read the list of transit authorities that were going to be beneficial, you did not...I don't believe you said anything about bistate in the Metro-East area. Is that included? It is not.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

No, bistate is not included in this. And you would have to talk to your officials from the bistate as to the reason and the people at the downstate mass transit. I don't understand their...their...that's their decision.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. Question for the sponsor. In our...in our county...

PRESIDENT:

Sponsor indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

...in our county we actually tax our people one-quarter of a cent and...and so do the rest of the collar counties. Now, you do not do that, is that right?

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

No, we also have a real estate tax to pay a portion of this. Part of it's funded by the Federal Government, part by

the State and part by the real estate tax on the property owners.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Would you consider doing what we do or let us do what you do? Would you consider taking the quarter of a cent tax like we spend it?

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Well, we pay the property tax and do it that way.

PRESIDENT:

Further discussion? Further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. There's just one point. A question of the sponsor if I may.

PRESIDENT:

He indicates he'll yield, Senator Nedza.

SENATOR NEDZA:

Senator, in...in the...the bill as it now stands before us, there's wording in the bill that...that provides that "No participant of the Downstate Public Transportation Act shall receive an amount less than that which was received in the immediate prior year provided in the event of a shortfall and the fund participants receiving less than their full one thirty-second allocation, shall be," and this is the key, the first participants to receive an amount not less than that received in the immediate prior year. Could you, more or less, allude a little on that first participants?

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

We're talking about the first participants in the

downstate transportation districts...in...within
their...their area.

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

Well, we're...of the downstate, now this encompasses all of those that you have previously mentioned, so we're speaking of first participants. I don't...the thing that I'm trying to bring out, are we first participants, are we taking the State and...putting it into two sections again, are we taking downstate and taking upstate? The first participants being the downstate transportation as opposed to the RTA. Are we getting into that kind of a thing?

PRESIDENT:

Senator Darrow.

SENATOR DABROW:

As this is drafted, I believe it pertains only within the downstate transit districts themselves since the RTA no longer receives this type of a subsidy. When we...and I assume that we may go back to the...the subsidy for the RTA. When we do that, I would...I would be...supporting you in an effort to...to make it all uniform with regard to a provision such as that. But again,...for...I...I would like to see the specifics of...of your subsidy bill.

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

Well, that's the point that I'm trying to make now. If...if this becomes law and then we, at a later date, adopt the transportation package for the RTA or whatever we're going to be calling it,...this...this law will be on the books, so then, in effect, what we're saying is that the downstate transit systems will be the first participants in any allocation of funds as opposed to the State as a whole.

That's...that's what I want to clarify, Senator.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

That is...that is not my understanding. I...unfortunately, I don't have the bill here, it's...before me I have the synopsis and the Digest. I...I would...but I would say that that pertains when we're talking about the participants, we're talking about the participants in the downstate transit districts. And when we...when we...if we then go to funding an ETA, let's add two thirty-seconds, they would not be a participant of the downstate transit districts, but we'd have to look at the two sections of the code.

PRESIDENT:

Senator Nedza.

END OF REEL

REEL #3

SENATOR NEDZA:

Well, I think...I think we're...we're both trying to be sincere in what we're doing but I don't think that we're really getting into...communication because of the fact that the first participant's language being in the bill is...is...is what's causing me some...some concern because I don't want...I...I'm for mass transit system throughout the entire State, we are one State. We have configurations of population throughout the entire State, not only in the RTA section but in...in the areas that you spoke of. But I don't want to put us on a...on a kind of vying for the...the allocation of funds for it, I don't...I don't think it's a good policy that we should be fighting because we're all sitting in...in one Body here, we should be one Body as far as transportation systems are concerned also.

PRESIDENT:

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Will the sponsor yield?

PRESIDENT:

Indicates he yield, Senator Barkhausen.

SENATOR BARKHAUSEN:

I don't know if the question has already been raised, Senator Darrow, but...and I'm just looking at my staff analysis. But I see a reference to...forty percent of expenses being eligible...does that mean that forty percent of the expenses of an individual carrier would be subsidized or could be subsidized by the State?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow.

SENATOR DARROW:

Those...those eligible expenses are determined by the Department of Transportation, as I understand it, and they are the ones that determine what would be eligible and what would not be for that percentage. They set the guidelines.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Barkhausen.

SENATOR BARKHAUSEN:

But assuming that they determine expenses to me eligible, does that...does that mean that forty percent of whatever they determine to be eligible expenses would be covered by the State?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow.

SENATOR DABROW:

Yes, of the...of the expenses determined by the Department of Transportation's schedule.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Barkhausen.

SENATOR BARKHAUSEN:

What...what concerns me, Mr. President and members of the Senate, if that's the case, we are...we are making downstate carriers eligible for a much higher percentage of their expenses being covered by a State subsidy than would ever be the case no matter how generous the subsidy we would provide for the...for the RTA. Right now, of course, as it has been pointed out, the RTA is not getting any subsidy, but even if they were to get fifty million or...or a hundred million out of a budget, that, I believe, is somewhere in excess of five hundred million, maybe as much as eight hundred million when you include money that comes from the fare box and the Federal Government as...as well as money that comes from the regional subsidy, that's far less than...than the forty percent. The total...the total subsidy that would come from the...from the State and the region put together would prob-

ably be around forty percent. So, I don't...I don't think that we should consider being anywhere near this generous to downstate carriers unless all of us are prepared to...to vote the same percentage subsidy for the RTA and I don't think that any of us are.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...let's see, Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President would the sponsor yield?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Savickas.

SENATOR SAVICKAS:

Well, I have about three or four questions. Obviously, the need for this money...is this because of there is mismanagement in these transit districts? That's always been said about the RTA and the CTA. The second is, why don't they go for a loan like the RTA and the CTA must always do?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow.

SENATOR DARROW:

I'm not that familiar with all the downstate transit districts as far as their efficiency goes or as far as going for a loan. Oftentimes, I can speak of my own area, what they do is if they're running short of funds, they cut back the services and cut back the lines and...and run...for example, we no longer have bus service on Sundays because they could not afford that, and that's the sort of thing they've been doing in order to balance their books is cut back the service to the senior citizen. For example, I know in...in Rock Island, they've had to have a...a four o'clock Saturday mass so that the senior citizens could get to church on Sunday...or on Saturday and fulfill their Sunday obligation since there's no bus service on Sunday. It's been quite a hardship for different people without this service on Sunday.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Savickas.

SENATOR SAVICKAS:

Well, I understand the hardship on the cutbacks, we've had to experience that in RTA area and the CTA area for the last two years. Maybe we ought to just sit down and work this all out as one transportation package.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR BOCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think that suggestion, frankly, is a good one. The support that is here seems to be eroding because there are some questions that I think need be addressed. Senator Grothberg was quite correct, the subject of mass transportation and its adequate funding has been brought up in those meetings that I've been attending. It is a subject that must and will be dealt with prior to our adjournment, whenever that is; and so, if...if the Senator would be kind enough, I would suggest there will be obviously an opportunity to get back to this. There will be, we hope, a bill that will encompass the "reforms" that have been requested plus the call for an operating subsidy for mass transportation funding in the northeastern part of our State. And I would suggest that while we are truly sympathetic and I pledge to you, we are sympathetic, I think this might better be handled when we have all the pieces to this puzzle put together. So, I'd ask you to just hold it if you will.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow.

SENATOR DARROW:

As the debate was going on, the House sponsor, Representative Dunn, was standing here and we had agreed between us that were this to pass out he was going to hold it over in

the House until that problem was worked out. Since the President of the Senate would rather have it held over here, I have no objection. Let's take it out of the record until we have something worked out as long as we get the assurance that we'll come back to it.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Is there leave to take it out of the record? Take it out of the record. House Bill 690...Senator Rock, there have been some questions about our schedule for today and...and lunch in particular. Senator Rock.

SENATOR ROCK:

Yes, as I indicated yesterday and I spoke with Senator Philip this morning, we will make the noble effort to afford the membership an opportunity to return phone calls or go to lunch, and we will break about twelve-thirty and ask that they be back at two o'clock. And we'll just continue...we'll stop on 3rd reading and continue at two o'clock on 3rd reading, and we are putting everybody on their honor, so to speak, that they will, in fact, return.

PRESIDING OFFICER: (SENATOR BRUCE)

House Bill 696, Senator Holmberg. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 696.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Holmberg.

SENATOR HOLMBERG:

House Bill 696 is an agreed bill between business and labor. It sets forth procedures to be followed by the Industrial Commission when a self-insured employer becomes financially insolvent. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

HB 697
3rd reading

Is there discussion? Senator Keats. May we have some order, please.

SENATOR KEATS:

This passed out of the Senate Labor and Commerce Committee on a bipartisan roll call and it does appear to be a helpful clean-up bill.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall House Bill 696 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 696 having received the required constitutional majority is declared passed. 697, House Bill, Senator Vadalabene. Read the bill, Mr. Secretary, please.

SECRETARY

House Bill 697.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 697, both the Quad Cities and the Metro-East area have only one race track. In 1983 the Illinois Racing Board authorized a hundred and seventy-five days of harness racing days of racing at the Quad City Downs and a hundred and sixty-six days of thoroughbred racing at Fairmont Park. To avoid the seventy-five day per organization licensee limitation, both tracks have been forced to organize and create paper corporations. Quad City Downs, Western Illinois Trotting Association and the Mississippi Valley Harness Association were awarded seventy-five, seventy-five and twenty-five harness racing days respectively at Quad City Downs.

These three corporations each have the same directors and officers. Ogden Fairmont Incorporated, Ogden Fairmont Jockey Club and the Southern Illinois Trotting Corporation were awarded seventy-five, seventy-five and sixteen thoroughbred racing days respectively at Fairmont Park. These corporations are all part of a parent subsidiary combination. The only reason these different corporations have been awarded racing days is to circumvent the seventy-five day per organization licensee limitation. This amendment would enable Quad City Downs and Fairmont Park to have only one organization licensee for their harness and thoroughbred meets respectfully. The October 1st, 1983 effective date is necessary to implement this statutory change for 1984 racing season. This provision must be law prior to awarding of the 1984 racing dates to be operated, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Becker. All right. The question is, shall House Bill 697 pass...Senator Rock, did you wish...Senator Rock.

SENATOR ROCK:

I...I would just reemphasize what Senator Vadalabene said, this is of some importance to those two tracks, and in fact, in Cook County this provision or restriction is obviated by the fact that there are multiple licensees using the same physical plant. In those two downstate tracks they don't have that opportunity and I think they ought to be...they ought to have that opportunity. It applies only to those two, and I would urge the members on this side to be supportive.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall House Bill 697 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the

record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 697 having received the required constitutional majority is declared passed. House Bill 698, Senator Vadalabene. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 698.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, House Bill 698 does exactly what the...what the...now says, it provides that public officers who are required to prepare a financial statement must file statements within ninety days now...which is now thirty days after the expiration of each fiscal year. And I move for a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Will the sponsor yield for one question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Mahar.

SENATOR MAHAR:

Senator Vadalabene, would you explain why we're going from thirty to ninety days again? It seems to me after a long period of time being able to handle this thing for many, many years at thirty days, why are we going to ninety?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, what the current law requires is that public offi-

cers are required to prepare financial statements to file the statement within thirty days after the expiration. County funds and offices currently are exempted from publishing requirements when an audit of the funds or offices have been made by CPA and have been duly filed and reported. This bill further exempts funds of the offices of other units of local government.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Well, have there been some specific instances in your area why there's a need for extending the time so...so long, that is, for sixty more days?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Well, the only need that I know of is it's supported by the county officials that they need this extension.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall House Bill 698 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. House Bill 698 having received the required constitutional majority is declared passed. House Bill 700, Senator Schaffer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 700.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I think the time is right, my compadre and new
fine...found ally, Senator Rock, is on the Floor ready to add
his considerable fire power to this noble cause, and I think
we should proceed. Senate Bill...pardon me, House Bill 700,
I think most of us are familiar with it, started out as a
bill sponsored by Representative Ebbesen and others in the
House to give NIU a separate board similar to the one that
Senator Buzbee's University, SIU has, has since been amended
by Senator Rock thereby insuring his support for this noble
venture to include a couple of other worthwhile causes and
universities. I suspect if we do get it to the House that we
will have considerable discussion, and I'm not quite sure
from whence it goeth with this noble addition that we had
added. The simple fact is that I would like to see the bill
proceed and the discussion continue. I honestly believe that
with the creation of the State Board of Higher Education it
is even more justifiable than it was at the time when SIU
got its independent board for a university, a regional uni-
versity, like Northern, to have a regional board to proceed
with its destiny on a regional basis. While Northern obvi-
ously wishes and accepts gladly students from all over the
State, and for that matter all over the world, the simple
fact is that the vast majority of the students do come from
the northern twenty counties. And we have noted with inter-
est and respect and admiration the success that the SIU
system has had in representing that part of the State, and as
a matter of regional pride and to promote Northern as a
regional asset, we would like to see a separate board. I
understand...it's been a learning experience for me, I did
not know, for instance, that a international vice-president
of the UAW was on the Board of Regents; you see, you learn
things every day. And I didn't know there was a Board of
Regents' member from Peoria or Rockford; I...I found these
things out in the course of this bill. And it is not an

attack on the Board of Regents, although it's refreshing to find out where all those people come from. The Board of Regents would still continue to exist and have a...a very full agenda. Simply put it is something that Northern and the people that...at Northern have wanted for a long time. I'm Northern's first alumni in this Body, and I can tell you that this was an item discussed back when I was there, in the dark ages when I had a crew cut; more importantly, when I had hair enough to have a crew cut. I think it's an idea whose time has come. I would like to see the bill proceed, I recognize that this is not final passage, that the bill would come back to us in some form or other. On behalf of the House sponsor and myself, I appreciate your help and be happy to answer any reasonable nondilatory, nonsarcastic questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. With the permission of the sponsor, I ask leave of the Body to be added as a cosponsor to this legislation. I'd also make an inquiry of our porter who put all the baggage on this bill, Senate President Rock, if he'd also like to join as a hyphenated cosponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

No, my brochure is big enough, thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Kenneth Hall.

SENATOR HALL:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator...Kenneth Hall.

SENATOR HALL:

Senator, you're not being consistent. Now awhile ago you got up when we were talking about consolidation of the drugs and things, you were saying that we're forming another group. Now you come along and you want to form an autonomous board for this group. Now, my question to you is this, isn't this going to cost more money for the State for meetings and for boards? You are the designated hitter over there that's trying...to watch all these pennies?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAPFER:

Well, first of all, consistency is the hobgoblin of little minds. Secondly, this bill is the most effective bill in the Legislature to cut cost. This bill will save the taxpayers of this State a minimum of forty million dollars because the higher education community has spent so much time trying to kill this bill they haven't had time to work for the tax increase, and for that reason, the tax increase won't be as big; therefore, the taxpayers are going to save a minimum of forty million dollars that would have otherwise been extracted, brutally, from their pockets and spent on higher education in this State. This is a bill for the taxpayers and we should all support it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR KENNETH HALL:

Well, the Board of Regents...what university...what colleges, Senator, and universities do the Board of Regents cover right now?

PRESIDING OFFICER: (SENATOR BRUCE)

If we can just have some order, please. Senator Schaffer.

SENATOR SCHAPFER:

Three of the jewels of our...our higher education com-

munity, Northern, which of course is my partiality 'cause I'm one of their alumnis; Sangamon State and that great university in the Bloomington area, ISU.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR KENNETH HALL:

Now, I know that Senator Davidson is sitting there and he's wondering why that you didn't include his in there and the others up there. Now why did you pick this out? In the first place, who wants this besides you?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

Hasn't Joe talked to you? Representative Ebbesen and I'll be honest with you, I...I'm...I am being a little facetious but I'm very serious. This is something that the Northern Illinois education community has wanted for a long time. Obviously, they are not about to buck the Board of Regents from whence all good things floweth in terms of appropriations, but I can tell you that as an alumni of Northern and as a former student, when I was there, this was an issue. It was an issue when Southern got their board and...and people from our area supported that, to give your university the autonomy we now seek. We were there when you needed us, Senator, we're counting on you.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. I have the following...Senator Kenneth Hall.

SENATOR HALL:

Well, if it's such a panacea, if it's so great, why is the Board of Regent and the Board of Higher Education opposed to it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

It is a turf fight, what else can I tell you.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. All right, I have the following Senators who've sought recognition to speak on this matter: Senators Newhouse, Davidson, Maitland, Weaver, Kustra and Grothberg. All right, Senator Newhouse. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, I...I had occasion to talk at length with Representative Ebbesen about this bill and I understand his desire to get a separate board. This bill did not make it out of committee on the first call and it came out later at...with a very close vote. And I think that the problem that most of us saw in that committee is a problem that exists now and that is this, if we're going to have separate boards, and I think a case can be made either way, that it ought to be done in some kind of an orderly fashion. Now, what has happened to this bill even at this juncture is that it has been amended and amended and amended and I'm not sure anyone can...can argue with the amendments that have gone on. But what it does in effect is destroy a system that somebody thought up at some time and at some point we all felt was good, I presume. Northern is a unique institution; it does have...have a high enrollment; it does have a regional sort of a...a...a...of a attraction, I would submit that all those things are accurate. But the problem that exists here and the reason that I would stand in opposition to this bill at this juncture is that...if we're going to break the Board of Regents apart and I think if you...if you make that argument, that's all right, then we ought to do it in an orderly fashion; we ought not do it one institution at a time, and we ought not do it in a hurried fashion. It needs to be studied more. There needs to be more debate and there needs to be time for consideration. I'd submit to this Body that none of those things have

existed at this juncture, and I would hope that we could hold this bill in abeyance and study and do what needs to be done if we decide upon this course and do it at an appropriate time. And until that time I would stand in opposition to this bill and hope it does not get out of this Chamber.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Well, Mr. President and members of the Senate, I rise in opposition to this bill. Let's talk about this great noble cause that my friend and seatmate to the left is espousing upon you. He's saying you have not seen the last of this and he's right. Those amendments that went on and it'll go back to the House and Representative Ebbesen will absolutely, I'm sure, move to nonconcur. And we're going to be fiddle-diddleing around while Rome burns over something that should not have happened in the first place in a Conference Committee. Let's talk about this regionalism. For some reason, somewhere, I thought every public university or college in this State of Illinois was for people from throughout the State, and the governing boards of the other institutions that I'm aware of are from all over the State. Southern's board, incidentally, chairman happened to be from Chicago suburbs...was, I don't know whether he still is the chairman, and so on and so forth. Let's get down to the real guts of this problem. Northern Illinois may want to have a separate board, but I want to tell you, Northern Illinois, through the help of the late Senator David Shapiro, got a law school because a number of us supported it because we felt that was an opportunity for students throughout this State to attend. Now let's quit playing fun and games about regionalism and why they ought to have it. We created, I should not say we...we, the Legislature, not we who are setting here, maybe a couple, created a Board of Regents and a Board of Higher

Education to get some sense and sane...sanity in what used to be a terrible fight each year for the universities competing for the same bucks. The same thing is going to happen; it's not going to save money. My learned colleague was being facetious about forty million. I want to tell you, it hasn't been number one hit with Higher Ed., with me, maybe they knew where I stood, but no one has really bothered me other than Representative Ebbesen supporting this turkey. And that's what it is and it needs to be buried as a turkey. We got more important things to do for the people of Illinois in this final eight days than be fiddling around in a Conference Committee for a separate board which don't amount to a hill of beans because they have to run their budget through the Board of Higher Education in the first place, it all costs more money. You have seven or ten more people, you'll have a staff, let's bury this as it should be and everybody vote No. Get rid of this turkey once and for all.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank...thank you, very much, Mr. President and members of the Senate. I, too, rise in opposition to House Bill 700. This is a concept whose time has not yet come and should not come. We are facing some very tough issues in education as we approach the mid-eighties. The only thing, Ladies and Gentlemen, today that's keeping the enrollment up at the level it is in higher education is the fact that the economy is so bad; and when the economy is so bad, students go to college because they have nothing else to do. But as the economy turns around, and it will, the enrollment will once again start to drop. And you've all heard it said that by the mid-eighties or now perhaps later in the eighties, we will be overbuilt by one senior university in this State. And when you're overbuilt by one senior university, you are

spreading dollars out over more area, more buildings and helping fewer students and that's not a good expenditure of public funds. I want to correct something that I think might have been implied here a few moments ago. The administration, Northern Illinois University, and the President are not supporting this bill. It's the community of northern Illinois and the alumni. You know why they're concerned? They're concerned about declining enrollment. They're concerned that as enrollment drops their university may get cut. Now they got a board of its own that they can come down here and lobby stronger and stronger and stronger for more funds. Do you think you're lobbied now by the Board of Regents? You establish a board for every senior university in this State and see what happens. I'll tell you one thing, if this bill passes, Illinois State's going to have a board, Eastern is going to have a board and we're going to create chaos in higher education in this State, and we can't allow that to be happening. This is a bad concept. The president of Northern Illinois told me by letter this week he has a good relationship with the Board of Regents and the system is, in fact, working. This is a bad bill and it should be defeated.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Basically, I had planned to stay neutral on this issue but after certain amendments were adopted by our esteemed President, it kind of forces some of our hands around the State. I'm sure they were offered in to strengthen the bill somewhat but, you know, through the years I've had some dealing with higher education and all systems of higher education, and I think after the establishment of the Board of Higher Education we've gotten along together much better, because many of the requests from each system are studied by the higher board and they're assigned certain

tasks and certain allocations of graduate degrees, et cetera, and we've gotten along real well for the last number of years. I'm not sure that creating another board or two or three is going to benefit the students who attend these institutes of higher education. So, I would hope that we would study this proposition. If there's need for separation or consolidation in the future, it should be studied, there should be some recommendations made to the Board of Higher Education and to the General Assembly in the future if it's in the best interest of educating the students attending public higher education throughout the State. Thank you.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Earlier this year I made some statements about how I thought we might reform the system of higher education. It looks now, as these amendments have been added, that the bill will be palatable to fewer than thirty members and it may not pass anyway. If it doesn't, I hope it doesn't cloud the fact that we have a top-heavy system of higher education in this State with a Board of Higher Education, with governing boards at...at...at a regional level, with individual university governing boards in some universities and then some universities with just individual administrations. Now if anyone tracing the last fifteen to twenty years of budgeting in Higher Education can figure out the rationale for those particular systems, I would defy you to do so. I think it's clear that the reasons for the way we've set up higher education in this State have little to do with rationality and sound budget practices and allocation of scarce resources but a lot to do with the politics of this State, and you're hearing it on this very Floor right now. I've been asked by the sponsor to go along with this bill, and frankly, the only

reason why I can see why we should all support it is we ought to give every university in the State of Illinois a board and then we abolish the regional boards and then we put the Board of Higher Education to work. Because if we have a Board of Higher Education and it's job is control, then it ought to get down to the business of coordinating; and it isn't coordinating, nobody's coordinating higher education in the State of Illinois these days or you wouldn't have duplicative programs across this State in so many individual campuses, programs that look just like the program on down the road or in a different part of the State. So if you really want to get serious about this crisis in higher education that we're having, do one of two things; toughen up that Board of Higher Education, eliminate all those regional boards and give every university its board or do away with these individual boards at the regional level. I'm not so sure that this is the best way to proceed and I think I echo the comments of Senator Newhouse, who said that if you're going to make a major change like this, you don't do it on the Floor of this Body in the midst of the heat of politics; it ought to be done in...in a smaller committee gathering where we can really take a look at the future of higher education in this State. For that reason, I'm going to cast one of the few Present votes I cast in this...General Assembly and suggest that we send this whole issue to a committee for further study.

PRESIDENT:

Further discussion? Senator Grotberg.

SENATOR GROTEBERG:

Well, thank you, Mr. President, it's kind of fun to listen to the dialogue depending on where you're coming from. I think it's ironic that there are fifty-nine legislative districts in the State of Illinois, isn't that strange? Why don't we do something so we could all be out of the same district? The reason is, Ladies and Gentlemen,

Illinois starts on the north end and goes four hundred miles to the south and the reason is, we are a regional State. The Board of Regents spreads its wings, yes, but the interest of the people and the interest of the legislators here, and if you'll go back and read the record as each of you have talked, you're talking about your own turf problems. This is the Northern Illinois University problem that they are caught up in a system-wide system that does not reflect the meaning of a twenty-five thousand student campus, big enough, bigger than most organizations and corporations in the State of Illinois and does not even have its own board of directors to represent their tens of thousands of alumni. The second largest government in the State is the University of Illinois and it's a fine one, and they are just about as strong or stronger than this Legislature when push comes to shove. I'm not worried about alienating the U. of I. because they are strong and tough. I'm not worried then because of the rhetoric that's been going on here, we should do it in all some big long thoughtful process. This process has been going on for years, finally amounted in a bill, the bill got out of the House. It is now here for this Body to decide. Is there some reasonable way for a reasonable shop to start running its own affairs? The State of Ohio, all of their universities have a separate board, each of them, probably known as the biggest...higher ed. association in the...or state in...in...in the United States, the big ten, and they all do it individually. You got to start somewhere. Let's start here, just vote Aye.

PRESIDENT:

I was just waiting for Senator Grothberg to conclude. Watch your blood pressure, John, will you. Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

Mr. President, the House sponsor and I have con-

ferred...conveyed, unless that portion of the bill that you put on you feel particularly strong about, it is our feeling that perhaps in the interest of defending the taxpayers we should pull this bill from the record and continue the discussion and negotiations. At least as long as it's alive, they won't go back after us for more money. It's a good issue, it will return. I'd like to pull the bill from the record at this point.

PRESIDENT:

Take it from the record, Mr. Secretary. On the Order of House Bills 3rd Reading, top of page 13, is House Bill 701. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 701.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does, amends the township law to provide that township property may be leased to another governmental body for any term or any...for any consideration. I ask for its adoption.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 701 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, none voting Present. House Bill 701 having received the required constitutional majority is declared passed. Senator Joyce on 708. 709. 710, Senator Dawson. On the Order of House Bills 3rd Reading, the middle of page 13, is House Bill 710. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 710.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, House Bill 710 amends the Illinois Purchasing Act to provide that locally prevailing union rates must be paid to employees performing food service contracts entered into by State agencies, and State agencies would be defined to include all officers, boards, commissioners or agencies in the Executive, Legislative and Judicial Branches of the government with the exception of the circuit court. State universities and all corporate outgrowths of State Government are also included. Units of local government are not included into it. Any questions?

PRESIDENT:

Any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This fine piece of legislation last time it was called was defeated in 1980. I think someone voted for it, but I'm not sure who made that big a mistake. I mean, what we really are doing with prevailing wage rate this year is unbelievable. I mean, next...I mean, we are at the point where every single person is included; it's going to make it virtually impossible for outside contractors to come in and do State work unless they have the okay of the Illinois State AFL-CIO, and God bless the AFL-CIO, they're wonderful people I wouldn't say anything bad about them. But you reach a point where you have to say, does every single person in the entire State have to be covered by specific laws that we pass

that regulate everything they do from the minute they got out of bed until the time they go to bed...at night. This will substantially raise costs. I do have to say, tongue in cheek though, the City of Chicago was excluded so you know they were smart enough to spot it was going to raise costs. They're going to just stick it to every other town that the rest of us represent. So, if you'd like to hold down Chicago's costs and raise our own, good vote. But...more than likely...more that likely, it applies only to the State, I forgot, I'm sorry, it applies only to the State. They were smart enough to realize they were going to hang every municipality so now they're just going to hang the State. I would appreciate a negative vote.

PRESIDENT:

Further discussion? Senator Grotberg.

SENATOR GROTEBERG:

Having gotten left at the altar, I have a question for the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Grotberg.

SENATOR GROTEBERG:

Thank you. Senator Keats just said that this applies only to the State. Does not the Prevailing Wage Act follow State money wherever it goes?

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Senator Grotberg, as mentioned, local units of government are not covered by this and all we are adding is just the food servers...to the...other ones included already are janitorial service, window cleaning and so on; all we're adding is food services to this here.

PRESIDENT:

Senator Grotberg.

SENATOR GROTEBERG:

It's just as bad.

PRESIDENT:

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

SENATOR DAWSON:

Ladies and Gentlemen, we just feel that everybody should be included; we shouldn't have certain groups excluded from this, and ask for a favorable roll call.

PRESIDENT:

The question is, shall House Bill 710 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 33, the Nays are 25, none voting Present. House Bill 710 having received the required constitutional majority is declared passed. Senator Watson, on the Order of House Bills 3rd Reading is House Bill 711. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 711.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. House Bill 711 permits registered owners of antique vehicles to furnish a plate of their own indicating the year model in which the vehicle was...was made, as long as the current and valid Illinois registration plates and cards are simultaneously carried within such vehicle and are available for inspection. The bill was amended in the House by the Secretary of State's request to permit such use in lieu of antique plate display but subject to the same limitations as an antique plate. Be glad to answer any

questions.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 711 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 7-1-1, 711, having received the required constitutional majority is declared passed. Senator Coffey, on 714. On the Order of House Bills 3rd Reading is House Bill 714. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 714.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Senate Bill 714 amends the Public Community College Act which allows a territory to disconnect from a community college district if the territory has also located within a school district which is required to pay tuition to the community college district. There is two communities that we're aware of in the State that's affected by this, one's in Senator Bruce's district is St. Francisville and the other one is in my district which is Paris School District, which are paying a dual tax. We introduced this bill to take care of that. It only...the two community colleges in the area, I think, is in support of it and realize there is a double taxation. It was an error when the original lines was drafted...on...in those junior college districts and we're trying to clear that up, and we'd ask for a favorable roll call and be glad to answer any questions you might have.

PRESIDENT:

Any discussion? Senator Bruce.

SENATOR BRUCE:

Just rise in support of the bill. It handles the problem for two school districts in the State of Illinois.

PRESIDENT:

The question is, shall House Bill 714 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House bill 714 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading, House Bill 718. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 718.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, House Bill 718 provides that...the Secretary of State upon receipt of an application made on the form prescribed by the Secretary of State may issue to former prisoners of war, World War I, World War II and the Korean Conflict and the Vietnamese Conflict who are citizens of the United States and who are members of the armed forces of the United States or any of its allies special registration plates and I would ask for a favorable vote.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 718 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...55, the Nays are none, none...1 voting Present. House bill 718 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 719. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 719.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. This bill relates to basically counties of Winnebago, Peoria, Sangamon, Macon, your larger urban counties, and what it does, it allows county boards to create multimember districts so that it can take into account population configurations. Answer any questions; otherwise, ask for an affirmative vote.

PRESIDENT:

Any discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Hall.

SENATOR HALL:

Senator, you did not mention St. Clair County. Does this affect it also?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

No. According...according...if you'll look at the bill, you'll see that it directs that counties of less than three million and it also addresses municipalities in excess of seventy-five thousand. It's where you have a bunch, a

bunching...in central and northern Illinois, otherwise...

PRESIDENT:

All right, Channel 5, KSDK, from St. Louis has asked permission to videotape. Is leave granted? Leave is granted. Question is, shall House Bill 719 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are...56, the Nays are none, none voting Present. House Bill 719 having received the required constitutional majority is declared passed. 720, Senator Lemke. On the Order of House Bills 3rd Reading is House Bill 720. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 720.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill is, is a notification to the...in the family situation in regards to the...for minors having abortions. It also has an amendment now from the Medical Society in regards to prima facie evidence, and stipulates that the prima facie evidence only applies to the notification of the parents. It has provisions to protect incest...where there is an incest by the father, the father doesn't have to be notified. If the parent...if the child feels that it's to...to their detriment to notify the parent, there's...there's a due process court....due process provision in the bill. I think it's a good bill. I ask for adoption. Now this bill has nothing to do with the new Supreme Court decision which entered into the new era of that they must get consent of the parents. This does not say anything

about consent, this just strictly talks about notification. I ask for its adoption.

PRESIDING OFFICER: (SENATOR HALL)

Any discussion? Senator Keats.

SENATOR KEATS:

I was just going to rise very briefly, and I appreciate what the Senator said; but for the legislative record, anyone who thinks that this has nothing to do with the recent Supreme Court decisions, I'm afraid may be mistaken; and I would say simply for the legislative record, there are a series of questions we could ask but I already know what the sponsor will probably respond. So, I simply say that in our minds, this very clearly does interfere with what the Supreme Court in the last few weeks has just plain said cannot be done; so, I mean, I have no objection to hiring a few more lawyers to...to fight this case out. God bless them, we all got to make a living too, and I suppose we should help them too, and I think the Senator has been doing a fine job to be sure that more people are employed in this area. The opposition to the bill is plain and simple, the Supreme Court says no, and has said no consistently, and it's said no for over a decade.

PRESIDING OFFICER: (SENATOR HALL)

Senator Lemke.

SENATOR LEMKE:

Just an answer to Senator Keats. The Supreme Court has already ruled in two situations, in regards to notification of parents in regards to an abortion situation and this bill has...this bill complies with those cases that the Supreme Court has upheld. The recent court case has nothing to do with notification, it has to do with consent; and as you read the decision, expanded the law in regards to parental consent, Senator Keats. These...this bill is constitutional. We have gone over it. It's constitution, it complies with

everything the Supreme Court has held constitutional, and until the U.S. Supreme Court changes their position of parent notification, this bill will be the law. I ask for its adoption.

PRESIDING OFFICER: (SENATOR HALL)

Any further discussion? The question is, shall Senate...House Bill 720 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open.

PRESIDENT:

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 7, 2 voting Present. House Bill 720 having received the required constitutional majority is declared passed. 721, I understand is on the recall list. 722, Senator Berman. On the Order of House Bills 3rd Reading, the top of page 14, is Senate...House Bill 722. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 722.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This bill applies to the Chicago Board of Education only. It allows the...the funds raised under their workmen's comp. and unemployment comp. levies to include liabilities incurred by the Board of Education for the operating and administrative expenses incurred in both worker's comp. and unemployment compensation programs. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR HALL)

Any discussion? If not, the question is, shall House Bill 722 pass. Those in favor vote Aye. Those

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opposed...vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the...the Noes are 14, none voting Present. House Bill 722 having received the required constitutional majority is declared passed. (Machine cutoff)...726, Senator Bruce. Read the bill.

SECRETARY:

House Bill 726.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR HALL)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. This bill provides certain protections for employees who develop patents solely on their own time and without any input from their employer, without use of equipment from the employer, without any use of secret...trade secrets, their facilities or supplies, gives them...the right to have ownership of that patent. I believe it...it has been supported in the House a 107 to nothing. I don't believe there's any controversy. I would ask for your favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 726 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 726 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 728. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 728.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen...of the Senate. Transfers...House Bill 728 transfers the responsibility for administration of the Salvage Warehouse Act from the Department of Agriculture to the Department of Public Health. I know of no opposition. Passed the House a hundred to nothing.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 728 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 728 having received the required constitutional majority is declared passed. 729. On the Order of House Bills 3rd Reading is House Bill 729. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 729.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President. This, like the preceding bill, was...is an administration bill. It does exactly as the Secretary has indicated. According to the department the...the...the prevalence of latex paints makes this Act obsolete and should be repealed.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 729 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 729 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading...730...on the Order of House Bills...3rd Reading is House Bill 730. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 730.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This is identical to Senate Bill 112 which we passed out of here a couple or three weeks ago. It's identical to legislation which was passed by both Houses of the General Assembly a couple of years ago and put on the Governor's Desk. Unfortunately, I think the Governor misunderstood the impact of the bill and vetoed it. We're going to give him another chance this time to shore up the coal industry in the State of Illinois. What this would do is would allow a five percent tax credit for any company who put pollution control equipment on to burn Illinois coal, or it would allow a twenty percent tax credit for any Illinois company that did coal research that was approved by the Coal Research Board. It's...it's simply an attempt to try to get companies to convert to put the scrubbers on and so forth. I'm talking primarily now, obviously, about industrial manufacturing companies, not about utilities, although utilities

I guess would be eligible. But primarily to try to get the...smaller boilers converted to where they would use Illinois coal and we know, we...we believe...the revenue impact of this bill is miniscule. The Governor vetoed it a couple of years ago because he...of the revenue impact but it is miniscule, and the recovery that we would get in taxes collected from income tax, from coal miners back to work and from corporate income taxes that the coal companies would pay and from all of the concomitant sales taxes that go along with the increased size of the economy would more than...than make up for the small amount of...of tax credit that this bill would give, and I would ask for your favorable consideration.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 730 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 2, none voting Present. House Bill 730 having received the required constitutional majority is declared passed. 731...all right, the hour of twelve-thirty have...has arrived. Senator Bruce moves that the Senate stands in recess until the hour of two o'clock. At two o'clock we will continue with House Bill 736. Two o'clock, please. The Senate stands in recess.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR BRUCE)

...Geo-Karis...what's that? Resolutions. The hour of two having arrived, the Senate will come to order. Resolutions.

SECRETARY:

Senate Resolution 260, it's congratulatory, Senator Lenke.

Senate Resolution 261, it's congratulatory, Senator Egan.

Senate Resolution 262, commendatory, Senator Lenke.

PRESIDING OFFICER: (SENATOR BRUCE)

Resolutions Consent Calendar.

SECRETARY:

Senate Resolution 263, Senator Lenke.

PRESIDING OFFICER: (SENATOR BRUCE)

Executive. Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has passed the following Senate...has concurred with the Senate in the passage of the following bill:

Senate Bill 89 with House Amendments 1 and 2.

And we have like Messages on about twenty-five bills.

I'll read the bill number and the amendments.

Senate Bill 97 with House Amendments 1 and 2.

Senate Bill 125 with House Amendment 2.

Senate Bill 134 with House Amendment 1.

Senate Bill 149 with House Amendment 1 and 2.

Senate Bill 151 with House Amendment 1 and 2.

Senate Bill 174 with House Amendment 1 and 3.

Senate Bill 176 with House Amendment 1.

Senate Bill 186 with House Amendment 1.

Senate Bill 187 with House Amendments 1, 3, 4, 5, 6, 7, 8, 9, 10 and 11.

Senate Bill 204 with House Amendments 1 and 2.

Senate Bill 211 with House Amendment 1.

Senate Bill 223 with House Amendment 1.

Senate Bill 240 with House Amendment 1.

Senate Bill 242 with House Amendment 1.
Senate Bill 247 with House Amendment 1.
Senate Bill 272 with House Amendment 1.
Senate Bill 322 with House Amendment 1.
Senate Bill 323 with House Amendments 2, 3 and 4.
Senate Bill 345 with House Amendment 1.
Senate Bill 357 with House Amendments 1, 2 and 3.
Senate Bill 365 with House Amendment 1.
Senate Bill 435 with House Amendment 1.
Senate Bill 814 with House Amendment 1.
Senate Bill 962 with House Amendment 1.
Senate Bill 1028 with House Amendment 1.
Senate Bill 1046 with House Amendment 1.
Senate Bill 1067 with House Amendment 1.
Senate Bill 1078 with House Amendment 1.
Senate Bill 1098 with House Amendment 1.
A Message from the House by Mr. O'Brien, Clerk.

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

House Joint Resolution 63.

It will be handled by Senator Weaver, and it is congratulatory.

END OF REEL

REEL #4

PRESIDING OFFICER: (SENATOR BRUCE)

...Consent Calendar. Senator Geo-Karis, we had adjourned...or Recessed just before your bill, 736. Do you wish to have the bill called?

SENATOR GEO-KARIS:

Mr. President, I'm ready but I don't see enough bodies here.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, Senator, they seem to be coming in pretty quickly here, and the Chair will give you as much time as we need to round up some...some bodies.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate,...

PRESIDING OFFICER: (SENATOR BRUCE)

Wait...wait a minute, Senator Geo-Karis. Would you read the bill, Mr. Secretary. House Bill 736, Mr. Secretary.

SECRETARY:

House Bill 736.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, House Bill 736 simply amends the Rape...Victim...Emergency Treatment Act to require hospitals to submit plans for serving rape victims by January 1, 1984, and the...require the Department of Public Health to conduct on-site reviews of the plans. And I might tell you that this bill is supported by the Attorney General and the Coalition Against Rape, and I move for favorable votes.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 736 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 49, the Nays are none, none voting Present. House Bill 736 having received the required constitutional majority is declared passed. Senator Hudson, on 740. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 740.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, House Bill 740 simply deals with...originally it dealt with and still does appraisal practices and appraisal procedures used by the savings and loan. And the new appraisal section gives greater precision and...to the Act, and is jointly sponsored by the commissioner of savings and loan and the Illinois Savings and Loan League. And then, here on the Senate Floor we add an amendment, and the...by amendment, additional obsolete sections of the Act have been stricken and updated, and these changes also have the support of the aforementioned organizations; the Savings and Loan League and the Illinois...Savings and Loan...commissioner of savings and loan and the Illinois Savings and Loan League. As far as I know, there is no opposition to the bill, and I would ask your approving action on the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall House Bill 740 pass. Those in favor vote Aye.

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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 none, none voting Present. House Bill 740 having received the required constitutional majority is declared passed. House Bill 741, Senator Marovitz. House Bill 742, Senator Lemke. Senator Lemke. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 742.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

What this does is amends the Chicago Teachers Article of the Illinois Pension...Code to conform with...to make various changes, introducing change relating to the definition of fiscal year and school year, the law applicable to deferred pension benefits, and there's an amendment that Senator Schuneman put on in regards that this does not in any way affect...under the State Mandates Act. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 742 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 52, the Nays are 3, none voting Present. House Bill 742 having received the required constitutional majority is declared passed. House Bill 743, Senator Demuzio. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 743.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 743 amends the School Code requiring that certified...certificated nurses employed by a school board be paid in accordance with the provisions of the salary schedule for teachers. It also provides that the General Assembly find that the...House Bill 743 does not require State reimbursement of the State Mandates Act. I had this bill...a similar bill in the last Session which was vetoed by the Governor. There is no appropriation to pay the cost for this legislation, but I do feel that they ought to be on the...on the same criteria as the...the teachers. They have gone through a...their baccalaureate program in...in nursing; they are licensed as registered, professional nurses to the Department of Education-Registration. They have a minimum of thirty undergraduate hours or graduate hours in public health, counselling, nutrition and related course work and a one-year internship program under the supervision of a...certificated school nurse. So, this, in fact, would provide and would affect about...a hundred and fifty to two hundred school nurses in Illinois who are paid less than teachers. And I would ask for your favorable support.

PRESIDENT:

Discussion? Senator Philip.

SENATOR PHILIP:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Philip.

SENATOR PHILIP:

What's the rationale for paying nurses the same as you pay teachers?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, I just indicated, Senator Philip, the school nurses meet high standards for certification as does elementary and secondary education teachers. Their educational preparation is...is as high or higher than that of teachers. Certification requires a baccalaureate in...degree in nursing, a license as a registered professional nurse to the Department of Education-Registration, minimum of thirty undergraduate or graduate hours in public health, counselling, nutrition and related course work and a year internship. So, they do, in fact, meet some very high standards for certification.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Of course, this is a sneaky way of getting nurses a pay increase. It would cost, according to my staff, three hundred and sixty-six thousand dollars. I don't know where that money is coming from, and I'm certainly sensitive about nurses, but certainly a teaching position is...is...in my judgement anyway, much more valuable and much more sensitive. And to think you're going to pay nurses the same, I think is, quite frankly, out of line.

PRESIDENT:

Further discussion? Any further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise somewhat reluctantly and perhaps at some risk of bringing the nurses' wrath down upon me; I hope not. I think they're a fine group and well trained, and Lord knows we need them. But I rise reluctantly and with all due

respect to the sponsor. As Senator Philip has outlined, this is a State mandate. Seventy-one percent of the teacher...of the nurses, as I understand it, are currently being paid on a salary as called for by this bill, but that's done at local option and as the local school districts or school boards see fit and within their ability to do so. This would mandate it. Any exemption here, the bill does attempt to exempt itself from the State Mandates Act, but the validity of this is highly doubtful according to my analysis here. So, once again, we may be enacting something here that's going to cost our school districts money that they can ill-afford and indeed do not have. And in these times of rather stringent fiscal conditions it would seem to me ill-advised to proceed along these lines. And I might mention, too, that as well trained as the nurses are, they are not teaching, generally speaking, they are not teachers anymore than other professional people in the school complex might be. We have nutritionists and others who might consider to be highly trained and perhaps deserving of being paid on this basis. But if we once start on this route, I don't know where it will end, and it would seem to be at this point we would be better advised to vote No on this measure and let it go at that.

PRESIDENT:

Further discussion? Further discussion? Senator Demuzio may close.

SENATOR DEMUZIO:

Well, thank you, very much, Mr. President. I would like to point out that one of the previous speakers had indicated the...the State of Illinois' liability here. I would point out that State Mandates Act is...no...is...there is...it provides that the General Assembly does not require the State reimbursement of the State Mandates Act. So, I would suggest to you that certified school nurses do serve a vital function

in public school districts across Illinois. They perform health assessments, immunizations, screening for vision, hearing, dental problems, prevention and control of communicable diseases, nutrition counselling, overall condition of health planning and policy, and they do meet high standards for certification, and I would urge the Body to support House Bill 743.

PRESIDENT:

The question is, shall House Bill 743 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 11, none voting Present. House Bill 743 having received the required constitutional majority is declared passed. Senator Kent. Senator Egan, on 747. Senator Egan, 747. 749, Senator Smith. Top of Page 15, on the Order of House Bills 3rd Reading is House Bill 749. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 749.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 749 states that by January 1, 1985, the University of Illinois Board, the Board of Regents and the Southern Illinois University Board and the State colleges and university systems shall submit to the Office of the State Fire Marshal plans for a smoke detection system in all university dormitory corridors. The alarms shall be connected to a monitor panel and a central fire alarm...system. I am ready to answer any questions if necessary. I would like to

say that this passed in the House by a hundred and ten votes.

PRESIDENT:

Any discussion? Senator Coffey.

SENATOR COFFEY:

Yes, a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Coffey.

SENATOR COFFEY:

Yes, Senator, if...if we are to require those institutions to put those smoke alarms in, do we have a cost factor that...or are we appropriating any money to those institutions to pay for the cost?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

This...this is just for plans, not...alarms systems.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Then if plans are...are prepared, then...then what's going to happen. There's no mandate to say that once they prepare plans and costs, nothing to be done, just the plans?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

...Senator Coffey, these are merely plans that are in the offering to be done for the safety of the universities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Does those universities have expertise in that area? If not, that means there will have to be structural engineers come in to make that determination I would think.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Currently, the public universities have either heat or...ductors or smoke detectors in the dormitory corridors and in the public areas, and this is something to make it more consistent that they hope to do to implement into the universities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Further discussion? The question is, shall House Bill 749 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 3, 1 voting Present. House Bill 749 having received the required constitutional majority is declared passed. 750, Senator Fawell. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 750.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. First, I would like to...for the record, say that I...I hit the wrong button on Senate Bill 743. I...I meant to press Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will so reflect.

SENATOR FAWELL:

Thank you...House Bill 750 is the girl scout bill. You have all received your girl scout cookies this morning I presume. Most of you did, we only had forty-five for fifty-nine members. It exempts the live-in personnel of seasonal camps

for non-for-profit corporations from the coverage of the minimum wage law. There is no opposition to this bill. Both sides have agreed that this is a good bill, and I will certainly be willing to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? Senator Zito. You're on. Further discussion? The question is, shall House Bill 750 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator Netsch, do you want the bell rung again? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 750 having received the required constitutional majority is declared passed. 751 is on the recall. 753, Senator Bloom. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 753.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. This bill does basically what it says it does. For some reason there is a glitch in the...in the Revenue Act that said you had to be sixty-five on the first day of the year that you were sixty-five, and so as a consequence, and I'm sure you've had this problem in your districts, people who turn sixty-five and...feel that they have qualified for the homestead exemption, maybe about June or so they go down to try and get it and they don't...they don't qualify as they find out, much to their anger and your chagrin as they come by your district offices. What this basically does is say that if you turn

sixty-five during the...the year, then you may qualify. Try and answer any questions. We put an amendment on at the request of the Cook County Assessor to have the impact take place in the subsequent year after you qualify so that there would be ease of administration. Otherwise, I'd seek a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall House Bill 753 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 753 having received the required constitutional majority is declared passed. 754, Senator Maitland. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 754.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. House Bill 754 amends the School Code to allow regional superintendents to be paid State aid for alternative schools. The bill permits the regional superintendents who offer a...alternative educational programs to request State aid for the program. The amount of State aid that will be paid will be equal to the amount of the additional State aid that each student's home district would have received if the student attended that home district. This bill addressed itself to...to young people who have dropped out of school, and in three counties of the State now regional superintend-

ents are offering alternative programs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I wonder...question...question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Rock.

SENATOR ROCK:

I wonder if he'd be kind enough to identify where the...the alternative schools are, in fact, receiving?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Yes, sir, Senator Rock. Presently, DuPage County, Macon County and Livingston County have alternative programs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock. Nope. Any further discussion? Further discussion? Senator Maitland, do you wish to close? The question is, shall House Bill 754 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 754 having received the required constitutional majority is declared passed. 755, Senator Lemke. Oh, Senator Nedza, for what purpose do you arise?

SENATOR NEDZA:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR NEDZA:

With us this afternoon we have a...an old friend who is a trustee of the Village of Harwood Heights in Norwood Park

Township. Senator Egan doesn't happen to be with us on the Floor at the moment but it's in his district, but he's an old friend of mine, Don Ziger and his...and his lovely wife. Would you please stand and be recognized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Alright, 755 and 757, Senator Lemke, are on the recall list. 758, Senator Newhouse. House Bill 758. 761, Senator Nedza. Whoop, Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Well, I happen to be the Senate sponsor of 757. If it's back on the recall list, I have no idea that it has and I wonder who put it on the list.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay. There has been an amendment filed, so the Secretary assumed that it was to be on the recall list. If you do not wish for it to be called back, we may proceed with it. Senator Philip.

SENATOR PHILIP:

Yes, thank you, Mr. President. It would seem to me if somebody wanted to hang on an amendment, that before they took the liberty of putting it back on the recall list that they might have spoken to the sponsor. But I haven't the slightest idea because nobody has even suggested that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR PHILIP:

...and normally that is the procedure around here, a little courtesy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...well, Senator Philip, it's Senator Grotberg's amendment. Senator Philip, if you wish to proceed...if you're...if you are prepared to proceed with 757...Senator

Philip.

SENATOR PHILIP:

May...may I have leave to come back to it. Evidently, somebody's signals are crossed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is...is there leave to return to 757? Leave is granted. House Bill 758, Senator Newhouse. Alright. 761, Senator Nedza. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 761.

(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. House Bill 761 is identical to...Senate Bill 1233 which was passed by this Body. It was submitted by the Sanitary District, and to refresh your recollection to the bill, the bill...was to permit investments and direct obligations of a bank as defined by the Illinois Banking Act. And the reason for that was...is that the local governments would allow them to invest their money to earn interest for durations as long as...or as short as one or two days in which the funds would otherwise remain idle, and because of the large amounts involved, additional income would be rather significant. There's no opposition to the bill that I can...know of, and I would ask your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. UPI has asked leave to take still photographs. Is leave granted? Leave is granted. Is there any discussion? If not, the question is, shall House Bill 761 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted

HB 764
3rd Reading

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 761 having received the required constitutional majority is declared passed. House Bill 764, Senator Chew. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 764.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. This prevents bogus representative from manufacturers from parading around changing numbers on cars. There's no controversy, it's all been taken care of. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there any discussion? If not, the...Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Yeah...according to our analysis, there has been an amendment added to this bill to limit the exclusion of recreational registered vehicles?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew.

SENATOR CHEW:

I'm not aware that there has been an...an amendment to have an exclusion of recreation vehicles; they're included in here. It's a testing apparatus, Mrs. Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

AB 768
3rd Reading

Senator Fawell. Any further discussion? Any further discussion? If not, the question is, shall House Bill 764 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 764 having received the required constitutional majority is declared passed. 767, Senator Bruce. Top of Page 16, House Bill 768, Senator Vadalabene. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 768.

(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 768 simply provides for due process in administrative investigations stating in writing times and hours of questioning and right to representation for police officers, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Bloom.

SENATOR BLOOM:

Yeah, thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Bloom.

SENATOR BLOOM:

Sam, you and I have discussed this bill a...a little bit, and as you know, there are some problems with Section 311 which basically prohibits the use of lie detector or polygraph examinations, is that not correct? It bars the use of polygraph examinations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, I have in my hand the decision of the Illinois Supreme Court which rules...and here it is here, that polygraph equipment is inadmissible in this situation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

It's inadmissible in court and, of course, that's the way it's always been. I...I, too, have a copy of the decision and, basically, if you read it closely, you'll see it's pretty much tied down to its facts. Would you be willing to bring 768 back so that we could put an amendment on that would say, if the complaining victim has taken a...and satisfactorily passed a polygraph examination, then any of the officers or officer involved may be required to submit to the same? Could you...could you do that? Basically, right now it says no time, no place can you use a polygraph, and this just says if there's somebody complaining about...police brutality or something and they pass a polygraph, that the command authority has the power to ask the officer or officers involved to take one. It's a little more even-handed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Well, the refusal to submit to examination rule that officer cannot be disciplined is his right to refuse, as you well know, Senator Bloom. However, a polygraph examiner cannot be considered as evidence and it is inadmissible. Polygraph results are being used as sole determination of guilt or innocence and this is expressly forbidden in this situation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

I understand, Sam, and polygraph examination results have never been admissible in courts of law. What I'm asking is if you could bring 768 back to address that factual setting that I've described, where somebody, a man or a woman, says...has a complaint against an officer...brutality or something like that and they successfully pass a polygraph, then the command authority can say to the officer or officers involved, hey, that person passed a polygraph, would you take a polygraph? That's what I'm asking, if you would bring it back to allow us to at least offer something a little more even-handed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, as...as you well know, Senator Bloom, you and I have discussed bringing this...back...bill back for...on a recall for the polygraph, but the Illinois Police Association does not want this bill...brought back for the purpose of putting that amendment on there. They are the sponsors of the bill; they are supporting the bill and, consequently, I will not bring it back for an amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright...Senator Bloom.

SENATOR BLOOM:

I under...I understand what you're saying, and...and why you're saying it, and I guess I'll have to respect it but it makes it very difficult to support an otherwise very meritorious bill, because I think that this is...this...this is more than just a flaw in a good bill. I think it's a...a defect, and I'd ask others in this Chamber to look at it in that light. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I'm a little confused and...by Senator Bloom's remarks. It...it's my understanding...we all know that a polygraph is inadmissible as evidence in any criminal trial against a defendant. I mean, that's been the law since polygraphs became...came into effect. But it's my understanding that what the Supreme Court Opinion said was that in a disciplinary proceeding against a police officer a polygraph examination would not be given to that police officer. In other words, if he objected to a polygraph, he would not have to take one, and the Supreme Court upheld that decision. Now, that is a little different than saying that it's not admissible in a criminal proceeding. In fact, it's quite different because this is an administrative proceeding, a disciplinary proceeding by the police board where a police officer is being charged with a...with a disciplinary offense. So, I don't understand what Senator Bloom is objecting to, and maybe he can inform us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Further discussion? The question is, shall House Bill 768 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 10, none voting Present. House Bill 768 having received the required constitutional majority is declared passed. 771, Senator Schuneman. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 771.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and members of the Senate. The Senate previously passed out Senate Bill...431 which is identical to this. This bill authorizes the Department of Conservation with the approval of the Department of Transportation to enter into a long-term lease of the dam across Rock River at Rock Falls, Illinois for the purposes of construction by the local municipal electric company of a hydro-electric generating plant. I know of no opposition to the bill, and I would ask for your favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 771 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 771 having received the required constitutional majority is declared passed. 772, Senator Barkhausen. Senator Barkhausen on the Floor?...Senator Barkhausen. Read the bill, Mr. Secretary, please. On the Order of 2nd Reading, top of Page 16, House Bill 772.

SECRETARY:

House Bill 772.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members of the Senate, this particular bill is...amends the Wild Life Code in...in three separate respects, none of which I must admit are going to change the fate of the State dramatically. The first allows shotguns

capable of firing more than three consecutive shots to be used on game breeding and shooting preserve areas which are licensed by the Department of Conservation. That was the original bill; then the bill was amended in Senate committee to outlaw the sale of Finn Racoons, otherwise know as racoon dogs, which are thought by the Department of Conservation to be pests and to carry rabies. And finally, the bill was amended on the Senate Floor yesterday, and Senator Bloom waxed eloquently on the subject of taxidermy and his poor constituent who is the president of this organization that...wanted an amendment to the section of the Wild Life Code regulating taxidermy in the State. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there any discussion? The question is, shall House Bill 772 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 772 having received the required constitutional majority is declared passed. 773, Senator Lemke...whoops, Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, before they leave the gallery I just wanted the Senate to recognize the Board of the Illinois State Museum, and they are led today by the wife of an old friend, Mrs. William G. Clark, Rosalee Clark, who...whom the Governor appointed as a member of that board. They are vitally concerned with the future of the State and they met today, and I hope you will all have the opportunity to meet with them. I'd like them to stand and be recognized by the members of the Senate.

HB 775
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery would please rise and be recognized. Welcome. On the Order of 2nd Reading, middle of Page 16...3rd Reading, House Bill 773, Senator Lenke. Senator Lenke...Mr...Mr. Secretary, read the bill.

SECRETARY:

House Bill 773.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lenke.

SENATOR LENKE:

What this bill does is permits material and men in...in subcontracts for public improvement projects to give notice of their claims for lien by registered or certified...mail. Extends the time for filing suit from ninety days to a hundred and eighty days from the time of giving notice, and requires a copy of the complaint to be delivered to the appropriate public official designated. I think it's a good bill. It clears up some of the problems we have, and the extension of time is good because of the fact that we allow local governments to pay the lien...a longer time. I think it's a good bill, I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 773 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 773 having received the required constitutional majority is declared passed. 775, Senator Bruce. Read the bill, Mr. Secretary.

SECRETARY:

775.

(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. As amended this bill deals with the State University Retirement System and the State Employees' Retirement System dealing with...the university article deals with permitting an employee who is on a disability retirement an allowance when he recovers from a disability and transfers to a retirement annuity. Under current law, a sixty year old employee receiving a disability retirement allowance forfeits his retirement annuity if he recovers from the disability. All this does is remove that prohibition, and as far as I know there has...that portion of the bill is approved by the Pension Laws Commission in a letter dated April the 4th, 1983. Additionally, the bill was amended to include a...State employees to establish additional service credit for unused accumulated vacation and personal leave days, and they would get compensation for one-half the number of accrued unused sick days. With that additional amendment, the bill is still not opposed by the Pension Laws Commission, and I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. Ladies and Gentlemen of the Senate, the reason the Pension Laws Commission does not oppose that particular part of the bill is that it has nothing to do with pensions, as I read it. What the bill has...what the amendment does, and is a very significant amendment that, in effect, changes this bill into the same posture as a bill which was earlier defeated in the Senate.

This amendment makes this bill very similar to Senate Bill 666 which lost on 3rd reading in the Senate on a vote of 28 to 23. Basically, what...what the amendment is intended to do is...is reimburse State employees for unused sick leave, and it would reimburse them by paying them for one-half of all the sick...of all the sick days that they've accumulated during their career in State Government. Now, I submit to you, if...if that's what you want to do, okay, but we shouldn't be doing it under the guise of...doing something about pensions. We ought to know up front exactly what it is we're doing. I happen to be opposed to that idea. It seems to me that sick leave is a...a benefit or a privilege that's granted to an employee as opposed to an asset that they can put in the bank and that they can count on someday, and as I understand this bill, what it says is that when the employee dies or retires or resigns from State Government, that they would be entitled to receive payment for one-half of all the sick days that they have accumulated. I think that we ought to know what we're doing, if that's really what you want to do. You rejected this idea earlier, but if it's really what you want to do, you ought to know what you're doing. And I suggest that it's probably a bad idea, and if we carry this to the ultimate, then it seems to me the next step will be to say, well, all of our State employees have hospital insurance, some of them use it, some of them don't, and so for those who don't use it probably what we ought to do is give them back all of their...all the premium that's being paid for them or something like that. I happen to think that sick leave is and should be granted to people who really need it and that sick leave should not be simply a benefit that people think they have some right to and take those days whether they're really sick or not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Berman.

SENATOR BERMAN:

Earlier this year I think we passed a bill that extended from ninety days to a hundred and eighty days the amount of accumulated sick leave...amount of sick leave that could be accumulated, I think it was by a teacher, over a period of their time. How does the passage of that bill and the amendment on this bill coincide? Are we, in fact, doubling a payout as a result of both of these bills passing? Is there a relationship?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

As I recall, Senator Berman, that bill related to the State Teachers' Retirement System, and this is only on the State Employees' Retirement System, SEBS, so it would not have any impact at all. The State employees accumulate, I believe,...a little less than a day per month...and it's a little more...or a little less than twelve days per year. I...I may have those figures slightly askew. All this would allow them is to accumulate sick leave. I think...I think they can accumulate up to thirty days, and this would allow them to be paid for half of those days.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

If this bill applied to the...Senator Bruce, if this bill applied to teachers, would we...together...because, you know, I can...next year we'll have the bill that will apply to the teachers if we've done it this year for the State employees. I...I would just like, again, if the bills had applied to the

same group, are we, in fact...what are we doing for them?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Well, I don't know what this Body...going to do next year. I...I hardly sometimes know what we're going to do in the next hour. Let...let me tell you though that the Pension Laws Commission..and, Senator Schuneman, this is a concern of the Pension Law's Commission. Under the University Retirement System upon leaving, university retirement, you are allowed to accumulate and...and get service credit for up to one hundred and eighty days of sick leave on termination, one-time shot. The same thing would apply here. You are talking about service credit for time served. If you actually served the sick leave days, you then pay, and I should add on this that the employee must pay his half, his portion of the cost to get the service credit, and so the...as far as I can tell the system is not out any money, they pay. Now, I would be the first one to tell you that that is a different system when you're talking about the Downstate and Chicago Teachers' Retirement System. The payor of the...of the employers...portion is different, and it won't...it won't work as well as it does with the State...as the University Retirement System and with the State Employees' Retirement System.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Coffey.

SENATOR COFFEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Coffey.

SENATOR COFFEY:

If you could, Senator Bruce, again, did you say that for every day accumulated time they get a half a day?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Well, in my comments I said I wasn't sure, and I've been told that you get one day per month. Every day...every month you serve in State Government you get one day of sick leave, a credit of one day of sick leave. So, you'd get twelve a year. That's what I thought you got but I thought there was some formula that you picked up more as you went along. It's one day per month.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Coffey.

SENATOR COFFEY:

Well, Mr. President and members of the...of the Body, I...I arise in...in favor of this bill because I think it could...while Senator Schuneman is probably right to a certain degree, I think that this could be some incentive for people not to take their sick leave and for them to...to show up to work, and I think a lot of them takes a sick leave just on the basis they want to use it up. Now, by doing this maybe we could do two things, stop the abuse of the sick leave and...and giving some reward for doing that, and I would ask the members of this Chamber to support this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Bruce may close.

SENATOR BRUCE:

Well, I think we ought to try it. I think we ought to pay...Senator Schuneman mentioned that if people do not use their group insurance program, they ought to be...that the next proposal will be that they be paid back. In fact, that heretical kind of concept is being tried by some employers, it's called well pay, and if you don't use your group insurance program, they pay you for not using it. And private industry has found it to be very successful. We would like to try it here. The State of Michigan implemented this exact

same program. In 1982, their employees lost 5.9 days per employee of sick leave. The State of Illinois is 11.3, same year, 1982. I think they saved a lot of money. They saved a little more than three hundred thousand dollars in unused sick leave last year, 1982. If they can do it, we can do it, and I think we ought to try it. The Pension Laws Commission, the State Employee Retirement System all seem to think that it would be a good idea to...to pay for unused sick leave, and I think we ought to try it ourselves.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The question is, shall House Bill 775 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 38, the Nays are 19, 1 voting Present. House Bill 775 having received the required constitutional majority is declared passed. 776, Senator Lemke. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 776.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this does is makes a numbers of changes; primarily, administrative in nature. According to the system, this merely...administrative bill bringing the system in line with the Municipal Employee System. The Pension Laws Commission recommends approval of this bill, and this bill, if adopted, will...could leave to...lead to cost savings in the Pension Fund. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there any discussion? If

not, the question is, shall House Bill 776 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 59, the Nays are none, none voting Present. House Bill 776 having received the required constitutional majority is declared passed. 781, Senator Vadalabene. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 781.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, House Bill 781 permits members of the Armed Forces who have been domiciled in the State of Illinois for ninety days to institute adoption proceedings, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 781 pass. Those in favor will vote...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 59, the Nays are none, none voting Present. House Bill 781 having received the required constitutional majority is declared passed. 782, Senator Lemke. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 782.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this does is adds a new section to the School Code by requiring the State Board of Education to establish a minimum of standards for foreign language instructor in an ethnic schools and to approve ethnic schools which voluntarily apply to the State Board for approval. The bill also allows local school boards to give credit to high school students who have learned a foreign language at an approved ethnic school. I think this is a good bill, I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 782 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...3 voting Present. House Bill 782 having received the required constitutional majority is declared passed. Senator Chew, for what purpose do you arise?

SENATOR CHEW:

On a personal privilege. We have some girl scouts from the 16th Legislative District, the New Covenant Baptist Church in the gallery. I wish they would rise and be recognized by this Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would our guests please rise and be recognized by the Senate. Welcome to Springfield. On the Order of 2nd Reading, middle of Page 16, House Bill 784, Senator Carroll. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 784.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CABBOLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 784 as now amended extends the reporting date for one year for the two named commissions, Suburban Problems and Gang Crimes. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Keats.

SENATOR KEATS:

Could you explain to us exactly who some of the employees of these particular worthless commissions are so that everyone realizes what they're voting for?

PRESIDING OFFICER: (SENATOR DEMUZIO)

I assume that's a question. Senator Carroll.

SENATOR CARROLL:

Other than the part of them being worthless, of which I don't know, since I am not a member I would not assume them to be, I do not know who the employees are; but rather than repeal the repealing, this merely extends the reporting date for one year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator Keats.

SENATOR KEATS:

There are several people who are former legislators on this thing, there are several others who have affiliations with other parties. I can't figure out what these commissions do that can't be done by the Municipal Problems Commission, and...I mean, you know, we only got a zillion of these things, and I won't make a long point out of it 'cause you all know when there's pork barrel there's pork barrel. But I would say that this is some of the least meritorious pork

barrel we have in the entire Legislature.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Further discussion? The question is, shall House Bill 784 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? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 25, 4 voting Present. House Bill 784 having failed to receive...sponsor requests postponed consideration. House Bill 787, Senator Newhouse. Senator Newhouse on the Floor? Read the bill, Mr. Secretary, please. On the Order of 2nd Reading, bottom of Page 16, 787.

SECRETARY:

House Bill 787.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. 3rd reading. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Senate Bill 787 is...is an emergency medical treatment bill which came out of the House committee 15 to nothing; came out of the House 110 to nothing. There was a...there were two votes against it in the...in committee, and I was just talking to Senator "Pate" Philip. The bill's purpose is to make certain that people in life threatening situations will be able to get health care services...emergency care services, and that's essentially what it does, and I would answer the questions and ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Any...any discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. There

was...Senator Newhouse, I don't think you were at the committee meeting, I think that Representative Braun was there, and she engaged in a rather lengthy dialogue with the committee. The problems that were raised were twofold. One, as I recall Senator Egan raised, about no enforcement mechanism, it...and the other was a concern...if you look at the language contained in the bill, basically, the language, "source of any payment promised." That is rather unclear, and a literal reading of the language of this bill if someone needed medical treatment fast and they said, here, I have a three hundred dollar Seiko watch or I have a watch or something, I'm going to pay for it this way, I believe under the language of this bill that the health care provider would be obligated to accept that. And I think that was the problem. As I recall, Representative Braun said that she would prepare some amendments, I'm not sure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Newhouse requests leave to take the bill out of the record. Is leave granted? Leave is granted. House Bill 791, Senator Jerome Joyce. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 791.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This allows a ten percent tax credit on the income tax of a farmer if he enters into an agreement with the soil and water conservation district to implement permanent erosion and sediment control programs. That would be, for instance, planting a row of trees or it would be terracing or that type of thing. It's permanent,

it's a ten percent tax credit on that cost for one year. If it's a thousand dollars he spent putting this terrace in, then he would be eligible for a hundred dollar tax credit on his income tax.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there any discussion? Senator Higney.

END OF REEL

REEL #5

SENATOR RIGNEY:

Well, Mr. President and Ladies and Gentlemen of the Senate, I suppose it's never popular to say anything of a derogatory nature against a soil conservation bill, but let's remember what we're talking about here. We're talking about a tax credit bill. We're amending our...our Tax Code to provide a tax credit for those farmers who...observe certain soil conservation practices. Now, I spent a number of years on the Revenue Committee in the House and listened to one tax credit bill after another, and somehow it seemed like we always rejected them or else if they eventually reached the Governor they were vetoed at that time. I think that's because we do have a rather low rate of taxation in this State, a very simple form of taxation, a flat rate tax system and we've been very reluctant to provide any tax credits for any of these other good causes that the Federal Government has from time to time recognized. Now, I would point this out to you also on the merits of the bill, and that is we really do not need these various structures if we're willing to use our land according to the way that I think that Mother Nature designed it for us. We only have problems in soil conservation today because we made the decision to tear up some of these hillsides and to...to try to use them for cropping activities rather than to recognize a natural terrain of the land and use that land in the...in the fashion that it should have been used. So, you're going to in effect subsidize here today what I would call at least an unnatural use of that land, and you're going to have to decide if you want to amend the Illinois Tax Code and...and to provide for the first time a tax credit for an activity that perhaps really doesn't need to be done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I rise in favor of this bill. First of all, I think that the...the agriculture community sometimes are their own worst enemy, and I would agree with the past speaker that maybe some of the things they could be doing themselves to solve some of these problems, but there needs to be some incentive and there is some of those farmers that are conservation oriented. I think this State has been guilty of putting very few dollars into conservation and...and ways to protect our soil. I think this is just one method that we're attempting to give some assistance and some encouragement into preventing soil erosion in this State, and I would ask the members of this General Assembly to support this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. Illinois currently only spends two-one hundredths of one percent of its budget in soil erosion. States like Iowa spend eight million dollars in state funds, Missouri is 5.2 million, Wisconsin is 3.6, Minnesota is 2.5, and we spend none. So, all I'm asking here is a...a tax incentive for...to keep our topsoil in place and...and to try and preserve this Illinois soil for future generations, and I would hope to have a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 791 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 43, the Nays are 14, none voting Present. House Bill 791 having received the required constitutional majority is declared passed. 793, Senator Smith. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 793.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 793 is a recommendation of the Rape Study Committee. The purpose of the bill is to make uniform the treatment of rape victims. This bill creates a State-wide Vitullo evidence collection program to facilitate the prosecution of purpose...of persons accused of rape or deviated sexual assaults. This bill requires a State-wide Vitullo program to be administered by the Department of Law Enforcement excepting municipalities of one million or more inhabitants. The City of Chicago shall administer this program and also the Department of Law Enforcement will assist. The Department of Public Health is neutral on this bill, and I might say that this bill...piece of legislation is a companion bill to House Bill 736 that we just passed this afternoon. It'll take about sixty-one thousand dollars for the Department of Law Enforcement next year to administer this program, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 793 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 1, none voting Present. House Bill 793 having received the required constitutional majority is declared passed. Top of page 17, on the Order of 3rd Reading, House Bill 796, Senator Holmberg. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 796.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

This bill provides seventy-five million in transportation highway bonds as a State match for Federal funds that have been earmarked only for U.S. 51 and the North Peoria Bypass. Included in the recently passed Federal gas tax legislation is a provision for one hundred million dollars as a demonstration grant for Illinois which is designed to fund 51 and the North Peoria Bypass; however, the Federal Act requires the State to match these revenues by an equal amount and this is the bill that would provide that match. We have bipartisan sponsorship here in the Senate of nine Senators, and this demonstration grant was sponsored for Illinois by both Senator Percy and by Senator Alan Dixon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sommer.

SENATOR SOMMER:

First of all, a question of the Chair, an inquiry. What vote will this take?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pursuant to Article IX, Section 9 of the Constitution, increasing the State...the State debt; therefore, it would require a three-fifths vote. Senator Sommer.

SENATOR SOMMER:

A question of the sponsor. What would be the ultimate cost to the taxpayer of this particular bond issue? What...what...what factor are our bonds multiplied by now to indicate the ultimate taxpayer cost? Would it be a hundred and fifty million? A hundred and seventy-five million? Two hundred million? Two hundred and fifty million? Something like that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates...

SENATOR SOMMER:

Which is...which is the right figure?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield. Senator Holmberg.

SENATOR HOLMBERG:

One hundred and fifty-five.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Well, this...did the cost of this particular measure is one hundred and fifty-five million dollars to the taxpayers of the State of Illinois. It's not part of the...the entire transportation package that...that's subject to negotiations now. It should properly be within the current transportation package as an addition or Series A Bonds. It seems to me that this is a bit premature to spend this kind of money, and Route 51 runs through my district probably more so than any other Senator, but nonetheless, it should be part of the whole package, and we should consider the cost of it. Therefore, I do oppose it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Welch.

SENATOR WELCH:

Yes, I...I would rise to speak in support of this bill. I think that this funding is necessary. We talk about spend-

ing taxpayer dollars; well, it's about time we got some taxpayer dollars back from the Federal Government, and that's the purpose of this bond issue. If we do issue these bonds and raise the seventy-five million dollars by bonding, there'll be more funds available from the possible gas tax increase, and other areas of this State will be able to share in that fund and then all of that money won't go for this particular road. So, by supporting this particular bond issue, what you are doing is freeing up more money from Route 51 which is going to get built and we're going to match the funds from the Federal Government to build that road, but we're trying not to take money out of the gasoline tax increase, and that's the purpose of the...one of the purposes of the bonding provision here. So, I would urge support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of House Bill 796 and would ask the members on this side to wholeheartedly support this effort. We have available through the action of the Federal Government money designated specifically for the purpose of the long overdue Highway 51. This will provide the...the needed match; noway around it, it will in any event, obviously, be part of the whatever is worked out in the transportation package. I would urge an Aye vote. Let's get this one behind us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

This bill, although...directly affecting a few legislative districts, indirectly affects all of us because it gives us access north-south to all of the communities of

Illinois so that the products manufactured in Illinois can be sold in Illinois, so that students who wish to go to college in Illinois may patronize these State universities that we have here. It would open up the State to an interrelationship that has long been needed, and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall House Bill 796 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 49, the Nays are 8, 2 voting Present. House Bill 796 having...received the required constitutional three-fifths majority vote is declared passed. 798, Senator Vadalabene. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 798.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, House Bill 798 as amended, the amendment exempts from the State police mandatory age retirement age special agents which were employed January 1, '84 who are over sixty years of age but who have not accrued eight years of service. With this amendment exemptions extend until such agent has attained eight years of service or the age of seventy, whichever comes first, and also the bill still requires a unanimous decision by the board members present to dismiss a petition. The bill originally said that all members on the board, but now just a...a unanimous...decision by the members of the board present, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 798 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 2, none voting Present. House Bill 798 having received the required constitutional majority is declared passed. 799, Senator Collins. Senator Collins on the Floor? 801, Senator Vadalabene. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 801.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, House Bill 801 modifies the prohibition against political activity by a Department of Law Enforcement officer to restrict such activity only while the office is on duty. It also deletes the language...which exempts from the...prohibition the ability of an officer to be a candidate or service on a school board. The...this legislation is supported by the Fraternal Order of Police and they feel that it is time that they can...they can continue to...to act...politically in political campaigns, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? Senator Philip.

SENATOR PHILIP:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Philip.

SENATOR PHILIP:

Yes, I...I'm trying to refresh my memory, Senator. Would this allow a local police officer to run for the village board in the municipality or city or village that he worked in?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

The way I understand it, it does not affect local...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Well, I...I think we better get a clarification. I have been led to believe that you could be a police officer in the Village of...of Elmhurst and run for the village council, be elected to village council and be a police officer, and I'm not sure that's in the best interest of...of the citizens of Illinois, but I'm...I'm led to believe that's exactly what it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene.

SENATOR VADALABENE:

Yes, it only affects the...the Illinois police and no one else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Yeah, if I remember correctly, there's an Executive Order prohibiting the State police from participating in partisan politics, period. And I...I, you know, very honestly, probably one of the finest police units in the State of Illinois is the Illinois State Police and if you're suggesting we ought to let them run for public office, locally or State-wide or participate in politics, I would suggest to you

that's a bad idea. I think they enjoy a good reputation. They do a good job but to interject politics in the Illinois State Police is certainly a gigantic step in the wrong direction. I can remember fifteen or twenty years ago when the Illinois State was completely politically controlled, and those State troopers got the appointments of the Governor's Office. That has not existed for a long period of time. In fact, occasionally I have somebody ask me to write a letter recommending somebody for a State trooper. My recommendation seems to work to the contrary, and I have told people, I said it's strictly on merit; it should be on merit and qualifications and we shouldn't interject the State troopers in partisan politics.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support, as...as I did in committee, of House Bill 801. It applies as the Act says it does, only to the State police, and it applies to the Department of Law Enforcement only. It has no...application whatsoever to any unit of local government or their respective police departments, and all it says is that while you're on duty you can engage in partisan politics; but while you're off duty, you too, Mr. Policeman, are a citizen of this State and this country and you are entitled, as is every other citizen, to support the candidate of your choice in whatever fashion you wish and to engage in partisan politics. Now I stood in...in...as I will for every removal of proscription against political activity, I stood and said the insurance companies out to be able to contribute; everybody ought to be able to contribute including the State police. If they want to support a candidate, God bless them, and I hope they ring doorbells. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...the question is...if not, the question is, shall House Bill 801 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 18, none voting Present. House Bill 801 having received the required constitutional majority is declared passed. 803, Senator Bruce. Whoops, Senator...Senator Rock.

SENATOR ROCK:

Just as a point of personal privilege. My brother happens to be a member of the Chicago Police Department, and I will suggest to those who don't wish to have police officers engaged in partisan activity, that one of the stellar members of the House of Representatives on the Republican side happens to be a member of the Chicago Police Department. I still think it's a good idea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. If there are no more editorials, House Bill 803, Senator Bruce. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 803.

(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 bill...really the intent of the bill is to change the fine for people involved in the independent production of oil and the nonindependent producers, the daily fine from one hundred dollars to one thousand dollars a day. We have worked with the Illinois Oil and Gas Association, Largest Association.

The oil companies have no objection. The Federal Government is looking at changes in the penalties that they have. This is a requirement that we...we're going to have to do to comply with the Federal EPA and other rules and regulations. The industry supports it. They are clean operators. They have no fear about a thousand dollar day fines because most of them are operating in a very proper and effective way with the Illinois Oil and Gas Administration through the Department of Mines and Minerals, and I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 803 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 59, the Nays are none, none voting Present. House Bill 803 having received the required constitutional majority is declared passed. 805, Senator Dawson. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 805.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, this...this bill is similar to Senate Bill 1148 which I handled in the 82nd General Assembly which was vetoed by the Governor. What it attempts to do is now eliminate the Governor's technical objections and it's also been cleared now with R and E, and what it does is establishes the Orthotist and Prosthetist Practice Act which governs the

making of artificial limbs for people.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator Friedland.

SENATOR FRIEDLAND:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Friedland.

SENATOR FRIEDLAND:

Senator Dawson, does this bill affect pedorthists? Are they included in the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

No, it does not. The legislative intent was not to affect them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

I see. Additionally, Senator, am I correct that in House Bill 805 it was amended in the House on behalf of the physical therapists?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

You're correct on that, John. It was a House Amendment No. 3 which was incorporated into the House Amendment No. 5 which is the bill in its present form.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

Senator, could you tell me the purpose of the amendment for physical...physical therapists?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Physical therapists as a part of their program for rehabilitating accident and stroke victims are sometimes required to make temporary orthotists or prosthetists to facilitate the therapy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President. I'd point out to the members on this side, our poop sheet says the Department of Registration and Education is opposed to the bill. I have a letter here from the director that indicates that they drafted the bill and that they're neutral. Your support is appreciated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. For those of you who have been in this Body a few years, you'll recall that I probably was the first sponsor of a bill of this type. The bill at that time was given to me the evening before I was to sponsor it and I read it that evening, and if those who were in committee recall that I would not sponsor the bill until there were certain provisions that were put into the bill. After that was done, then the...bill was brought on this Floor, and then it was brought to light that the...the bill in its...entirety was of a questionable nature. At that time I withdrew my support of the bill and it died on 3rd reading, if you recall; and today I can stand and I can stand before you and ask you to support this bill because the bill in the past two years, through a lot of extensive work, has been put into proper shape, and those of you have any friends or relatives who have to wear artificial limbs, it's something that is badly needed because

you'll get some of the hacks out of this business and it will be put into a professional type of basis that those who have to walk on a stump, if you will, that that will properly fit and they will have some relief as opposed to constantly walking in pain because of an inadequate artificial limb. The bill as it stands today is one that...that I think those who are subject to the type of...of artificial limbs will be grateful for your vote for this bill, and I'd urge your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. I promised the lobbyists for this bill that I'd be brief. I, once again, rise in opposition. As you know I've had some quarrels with the Sunset Committee staff but...or the way they operate, but the committee...Sunset Committee was not mentioned. It voted 6 to 1 that this new program to license orthotists and...prosthetists should not be established. Basically the reason is this, they fail to provide documented evidence that the unregulated practice of orthotics and prosthetics significantly endangers the public health, safety and welfare. Basically, we found out that over half of the people that were involved in this, nearly one-half of the two hundred orthotists and prosthetists practicing in Illinois are board certified through a private program anyway. The...only one other State does this. I think that if this bill passes; A, it's not necessary; B, will probably be vetoed by the Governor again and; C, if by some strange quirk it becomes law, you're going to find...they're going to be a lot people that sell orthopedic shoes or other things that are going to be very surprised and very unhappy. I would recommend, if it ain't fixed...if it ain't broke, don't fix it, and I think because nearly half of the people that are involved in this

activity in the State are part of a national private certification program that we probably ought to leave it alone. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, three additional...Senators have sought recognition. Senators D'Arco, Sangmeister and Lechowicz. Senator D'Arco. Senator Sangmeister.

SENATOR SANGMEISTER:

Will the sponsor yield for a short question? Senator...Bloom touched on it and I remember receiving now a letter from a retailer in my district who just sells shoes and I guess they sell this Dr. Scholl's pads and everything that goes along with the sale of shoes, and I...I presume that's stretching this bill far beyond what it should be, but they expressed a genuine concern that they may fall under this Act and not be able to sell any kind of a...a device such as a Scholl's pad or something like that, has that been cleared up in this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

With this piece of legislation, I have had no intent at all to cover any of that there to get into the shoe business or that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Sangmeister.

SENATOR SANGMEISTER:

Well, then so the legislative intent is very clear, anybody in the retail or wholesale business of selling shoes is not intended to be covered by this Act and if they sell aids, whatever they might be because I'm not expert enough to know except a...a foot pad or something that goes along with it, they're not intended to be covered by this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Dawson.

SENATOR DAWSON:

Well...that is correct, George, I...and if we have to do anything else to clear that issue up, I will do that. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand in support of this legislation. In fact, I would like to bring to your attention a sad situation that happened a few year ago. Representative Bill Barr when he had the unfortunate accident where his leg was blown off in his automobile; he travelled throughout this country to try to find a stump that would fit properly. He wrote a book, it was condensed into a...the Reader's Digest book section as well; and after reading that article, and reading the book, and in knowing and in talking with Representative Barr, and he was a very wealthy man who had the means to travel throughout this...great United States to find a person who could fit that limb properly, while there's a lot of other people who are aren't in that position but, unfortunately, do need a required prosthetic devise or a limb, and in turn, I believe this bill would correct that oversight. It's long overdue. Or ask Representative John Vitek some of the problems that he's had in trying to find a proper fit on a very sad situation. This is a good bill, it deserves your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Question to the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Follow up on this legislative intent, Senator Dawson. Besides the Dr. Scholl's and et cetera that Senator Sangmeister asked you about, let's ask a more direct question, because the people who have contacted me and concerned about this bill are those individuals who are in the retail shoe business but those who work on prescription with the orthopedic surgeon in building a wedge either medially or laterally on either sole or heel in relation to their instruction from the orthopedic surgeon for correction of a child's improper foot balance. Will this bill prevent them from doing that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

The...the following people are exempted from this, Senator Davidson: licensed physicians, practicing governmental employees, persons otherwise licensed in their field, licensed nonregistrants, licensed physical therapists and registered occupational therapists are exempt from the following.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

That does not exempt the individual I asked you about. The ones I have are those individuals who fit a shoe with an orthopedic wedge or lift on instructions from the orthopedic surgeon, they're the ones who actually do the fitting to the child and construct that...a fixture to the shoe. Now, does or does not this bill apply to them?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Yes, it does, Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Davidson.

SENATOR DAVIDSON:

Mr. Chairman,...I mean, excuse me, Mr. President, I reluctantly rise in opposition to this bill though it...it sounds very good. I want to tell you...any of those of you who have had children who've gone through this as I have, two of them, you go from going to a shoe retail person who deals in orthopedic shoes who with instruction from the orthopedic surgeon who constructs and builds the wedge on that shoe or go to a person who fits orthology pieces, you're talking a charge of many hundred percent difference. Now, those individuals who have participated in doing this with the help of the orthopedic surgeon probably know more how to fit that shoe to that incorrect foot than any of us who have gone on and got a Masters Degree, et cetera, some of the...requirements that was set down in this bill. This is interfering with people in a normal course of business who are now making a business and you're going to, bang, take them right out. There's no grandfather clause for these people and with that provision in this bill, then I urge you all to vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, if I had any reluctance to oppose this bill, it is gone. I happen to have an office on the second floor of a...a building, and I didn't believe this bill could possibly get this far, on the first floor there's a little shoe repair shop...family came over from Greece, they are there at six o'clock in the morning, they're there at nine o'clock in the morning. Several shoe stores...refer and the various skilled medical people refer the shoes that have to have little wedges in. We're going to ask and require, we, the State

Government, are going to require shoe repair people, you know, the guys in that little shops to have a baccalaureate degree? Have we gone nuts? I mean, give me a break. What more needs to be said?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Watson.

SENATOR WATSON:

How does this affect pharmacists who fit back braces and other...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

It doesn't affect pharmacists, Frank, because they are licensed already.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Very good. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, no further...further discussion? Senator Collins.

SENATOR COLLINS:

Senator Dawson, I...I really don't think that was your intent. I can support the legislation but unless, you know, if we could pull this bill out, prepare...amendment, have it come back on 3rd reading tomorrow, and just exempt the shoe retailer out of it because I know many children, my son had to have those shoes, my sister has to have those shoes, and they cannot afford to pay the kind of cost, and I agree with Doc Davidson, that these shoes will cost otherwise, and I

don't think you really intend to do that. So it's simple to just make it clear in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator Dawson.

SENATOR DAWSON:

That's what I tried to make clear with the intent here on the Floor with part of what Senator Collins was talking about there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, I was...Mr. President and members of the Senate, I was just going to make the point that Senator Dawson just did. The first person that spoke other than the sponsor was Senator Friedland who asked a couple of questions of the sponsor in an attempt to clarify legislative intent, one of which was whether pedorthists are covered and...those are the people we're talking about when we're talking about the shoe salesmen and the individuals that put...that put wedges in shoes. It should be clear as a matter of legislative intent that those people aren't covered, and I wouldn't think that expressed language to that effect would be necessary especially in light of the legislative debate that's taken place here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Dawson. Senator Dawson may close.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, as was said here, shoe mechanics or whatever you want to call them are not included in this bill, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 805 pass. Those in favor

will vote Aye. Those opposed will vote No. 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 26, the Nays are 24, 4 voting Present. Sponsor...the sponsor requests postponed consideration. House Bill 806, Senator Bruce. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 806.

(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 is a bill dealing with the automatic extension and automatic increase for university retirement employees. When we...passed the increase and began an annual increase for pension and annuitants in 1969, there were two separate classes of individuals who were excluded from coverage of that. You had to have retired after or before August the 15th, 1969, and in...two additional categories where if you had less than fifteen years...less than five years of experience, you could buy in your time with a one percent of your average monthly salary times the years of service credit and buy in that escalator. The other group of people who were totally excluded were people who retired before that time but who had more than...fifteen years of service credit. All this bill does is allow those people who terminated their employment before August the...15th, 1969, with less than fifteen years experience for the automatic annual increase. There are approximately three hundred annuitants who will...who will get this benefit and it...this bill is approved by the Pension Laws Commission.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, any discussion? Any discussion? If not, the question is, shall House Bill 806 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 47, the Nays are 8, 1 voting Present. House Bill 806 having received the required constitutional majority is declared passed. If I could have the Senates attention, we have a special guest with us today, and Senator DeAngelis will make the introductions.

SENATOR DeANGELIS:

Mr. President and members of the Senate, we have some distinguished guests visiting us today. We have Mr. Van Young who is minister of social welfare, the chief elected official responsible for the administration of New Zealand's social programs, a member of Parliament and the prime minister's cabinet. We have Mr. John Grant who is the director of the general of social welfare, the permanent head of New Zealand's Department of Social Welfare. We also have Mrs. Katherine Young, the wife of the minister, and Mr. Michael McCormick, who is the minister's secretary. The reason that the minister is visiting us is he is visiting DCFS, and what he's looking at is Illinois' innovative approach to child abuse, child welfare services and the diversion programs that we have. Just as a...as a note of personal interest, the Department of Social Welfare administers social security, homeownership benefits, war pensions, rehabilitation, public assistance, juvenile corrections and child welfare. They have a budget in Fiscal '81 of approximately 2.6 billion. While we were speaking back here prior to the Session, we were discussing their procedure and we found out that their government does not allow a veto which perhaps is...is a better way of not passing some of the bills that we do pass.

I'd like to have the Minister please address you for a few minutes. Prime Minister.

THE PRIME MINISTER OF NEW ZEALAND:

(Remarks by the Prime Minister)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay, on the Order of 3rd Reading, middle of page 17, House Bill 810, Senator Davidson. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 810.

(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, this bill does just exactly what it says on the Calendar. When we...the School Problems Commission was holding public hearings around the State last year, one of the requests by the different school districts throughout the State due to declining enrollment for them to be able to sell their surplus property was either by auction or by sealed bid after correct public notice. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? Question is, shall House Bill 810 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 810 having...received the required constitutional majority is declared passed. House Bill 812, Senator Darrow. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 812.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What this legislation does is allow the sale of liquor on the premises of Candon Park in Milan, Illinois. They're building a...a convention...or a civic center and they want to hold wedding receptions and family gatherings, things like that and rent the facilities out; therefore, they need this legislation to be allowed to sell liquor on the permises.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 812 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 5, none voting Present. House Bill 812 having received the required constitutional majority is declared passed. 813, Senator Schaffer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 813.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, House Bill 813 as amended, and I should point out very quickly it has been amended, addresses a problem that several of the townships

downstate have had that are receiving units. To be a receiving unit at...through the Department of Public Aid you have to get to the one mill levy mark and then you go into the State program. There is a provision in the township law that allows taxpayers to by referendum reduce that amount from one mill down to seven-five, I guess, .75; and what this bill simply says that if you become a receiving unit and a group of taxpayers see fit to reduce your assessment level below the required one mill point, you may still maintain your status as a receiving unit. It does not frustrate the taxpayer's ability to lower their taxes but it does allow a unit that reached that point to continue on as a receiving unit. I think this clarifies some of the confusion we had in the Revenue Committee in which I freely admit I didn't know what we were doing or what the sponsor intended. We got some very mixed signals but I think we've come up with a compromise that everyone can support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Senator Schaffer, are you sure this is what it does?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Assuming we adopted the amendment I filed, yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you. There was, as Senator Schaffer indicated, a great deal of confusion about what was intended, let alone what was accomplished, as the bill was presented in committee. I think as the amendment provides, and the amendment was adopted, it does as Senator Schaffer indicates. It simply allows a township to protect its status as a receiving

unit once it reaches that point. It does not involve any increased tax for General Assistance or any other purpose.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LEMKE:

I must be...this is 813. I'm looking at a book, it says, "This amends the Revenue Act to exempt the townships General Assistance Tax from the referendum provisions for raising or lowering the tax rate limited for such a tax." Is that what the bill does?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

It's what it did before the amendment, we think, but it doesn't do that now. The amendment rewrote the entire bill to address a problem some of the townships thought they were having or might have.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LEMKE:

Are we eliminating the referendum? Is that what we're doing here? We're having a backdoor referendum or something to raise a tax? We're not having the people vote whether they want their tax raised for General Assistance or not? Is that what we're saying? I know you exclude Cook County but next thing we'll have Cook County in next year, and I always think that we should all stay together one way or the other, you know. We sink or swim together but I think that the taxpayers should have the right if they want to help to vote by referendum to approve it, and I don't want to give this power to any township official that'll just automatically wants it to get the money from the State. This is the same thing the Feds do us...to us. You know, you want our money, you change your laws, but I think the people have the right by

HB 817
3rd Reading

referendum to vote for their tax increases.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer. While Senator Schaffer's looking for your...Senator Schaffer.

SENATOR SCHAFFER:

This bill has been a lot of fun. I think I'm going to pull it from the record and take another look at that amendment. Senator Lemke may have a point.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. On House Bill 817, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 817.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR PARKHAUSEN:

Mr. President and members of the Senate, I would first ask leave to add Senator Chew as a hyphenated cosponsor to the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You heard the motion. Is leave granted? Leave is granted.

SENATOR PARKHAUSEN:

This bill is identical to Senate Bill 468 which was already passed and Senator Chew was the lead sponsor on that and I was a hyphenated cosponsor in that case, and what it does again is to require courts in the case where...in cases where supervision is granted in DUI cases requires courts to provide the Secretary of State with the record of...of the disposition of these court supervised cases for the situations where there is a...a DUI conviction or a driving while a license or a permit is suspended or revoked, accidents

involving death or personal injuries and similar provisions of local ordinances. We passed this bill, I believe, unanimously before and the bill was also unanimously supported in committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR ROCK:

I would just again like an explanation of what is the intent. It appears that the only change in the current law is the addition of Section 4 which says, "a report of any disposition of court supervision for a violation of Section 6303," which is driving on a suspended, is it not?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I'm looking for the bill right now, Senator Rock. I...don't seem to have had it provided to me. The reason...Senator Chew answers your question in the affirmative...the reason for the bill is I...I think we've been through this before is that there has been some...confusion on the part of courts as to whether the reporting of supervision is required only in cases where some remedial program such as a drunk driving school is required as part of a...a supervision order or whether its...or whether the reporting requirement is...applies in all cases and not only where a remedial program is required.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, Senator, I'm...I'm...I think I...I know what you are getting at. Is...is the intent of this legislation to suggest that if I am cited for a violation of 11501, which is the driving under the influence, and I receive court supervision that...that order is then to be forwarded to the Secretary of State?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Correct, Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

The difficulty I have is that does not appear to be what it says because you say, a report of any disposition of court supervision. Court supervision is, as you know I'm sure, is disposed of at the termination of the supervision, at which point there is in ninety-nine out of a hundred, at least, an order of discharge and I, frankly, object to an order of discharge or acquittal being forwarded to the Secretary of State or anybody else.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, I...I...I think I understand your position on the bill. I...I don't think it's a question of the bill doing something other than what you think it does. I think you just have a problem with the requirement of reporting of supervision when, in fact, the supervision is going to terminate at some point...this supervision does of course, in fact, mean that a conviction does not go on a person's record as long as...a similar offense or another offense doesn't occur within the time that this supervision is pending. Sometimes the supervision terminates instantly; sometimes it

carries on for a period of ninety days or sometimes twelve months in a...in a case like a...a DUI offense, but the reason for the...the bill and the requirement of the reporting of supervision is so that there will be some way that a court will know when a DUI offender comes before a court whether this particular offender has been charged before and has been placed on supervision, because supervision means that that same offender has been given a break once before, and it is felt that courts ought to know when they're dealing with prior offenders who have been given a break so that they might think twice about...about being lenient with that particular offender before. So, supervision is not in that sense an...an acquittal, it's a...it's a kind of like, although not identical, to probation in the sense that they're letting the offender off, but this...reporting requirement will...will let a court know that...that this person has been leniently treated before and perhaps not...should not get that same break again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...for what purpose does Senator Chew arise?

SENATOR CHEW:

...well, I'm hyphenated sponsor of the bill. The bill is designed...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, wait, Senator, for what purpose do you arise? I know you're a hyphenated cosponsor, now.

SENATOR CHEW:

I want to elaborate on the question that was asked in the form of an answer. You have any objection to that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

No, Senator.

SENATOR CHEW:

May I proceed, sir?

PRESIDING OFFICER: (SENATOR SAVICKAS)

You may proceed.

SENATOR CHEW:

Thank you, Mr. President. We're not trying to hamstring any courts in this instance; we're trying to help them. If a court in Boone County grants supervision for that purpose, then Cook County ought to know that that driver has had or is currently under suspension. To...in the disposition of the suspension just means that the Secretary of State's Office would be able to furnish this information to law enforcement and to counties. This does not hamstring the Chicago courts; it is to help the Chicago courts. Just an example, if the St. Clair County puts someone on supervision, at the end of that supervision period then the court should know through the Secretary of State's Office that that driver has, in fact, been on supervision for a violation. It's to help tighten up the...the reins of what we're doing. So, I'd ask for a favorable roll call. I don't think the President now...do you have any problems with that now, Mr. President?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, I...I didn't ask the distinguished, soon to be Congressman, any question at all. I was asking Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator Chew assumed as the new hyphenated cosponsor that he can straighten you out, Mr. President. Senator Rock.

SENATOR ROCK:

Well, the...the difficulty I have is that we are effectively suggesting that in any of the listed categories, if you're placed under arrest, that record goes to the Secretary of State's Office, irrespective of guilt or innocence. I...that was not a question, that was a statement as...as I

interpret this proposal, and...yeah, I still have a problem. I...I think, frankly, we're going a little bit too far in our...in our anxiety to rush like lemmings to the sea to rid the State of...of driving under the influence. Be careful. We...we still, as individuals, have rights and until you're adjudicated guilty, why be forwarding these kinds of records around the State to anybody? The fact of the matter is, if you're guilty that record is...is properly subject to public scrutiny. If, however, you're innocent, it's a whole different story it seems to me, and...and I don't, frankly, agree that the Secretary of State ought to have all these records at his disposal for dissemination at will as to what or...did or did not occur in terms of an arrest for any of the enumerated...offenses. I just think that we're...we're all opposed to driving under the influence, and those who are convicted ought to be dealt with swiftly and severely, but for goodness sake, let's slow up. We...we...we are talking about literally the forwarding of an arrest record, period, because there is no adjudication of guilt and we ought to be a little careful.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senators, we have the following Senators that are seeking recognition on this particular bill: Senator Schuneman, Collins, Lemke, Jeremiah Joyce and Kustra, in that order. Senator Schuneman.

END OF REEL

REEL #6

SENATOR SCHUNEMAN:

It was Senator Kustra, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

No, it's Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

The...the first name sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

I support, I think, what you're trying to do here, Senator. And...and maybe I'm wrong in my understanding of what happens but it's my understanding that if a person is picked up for drunken driving and goes on court supervision, the court decides what, if anything, that driver shall do for a period of time, and if at the end of that period of time the arrested person has complied with the requirements of the court, then the record is simply expunged. But if during that period of time the arrested driver violates the law or some portion of the requirement put upon them by the court, that then that person is found to be guilty, automatically. Am I correct in that understanding?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes and no. The one who's been placed on supervision, can after a period of time, I believe it's three years, seek to have all records expunged but that's something that you

have to petition the court to do. What...what happens is that you're...you're placed...placed on supervision and you're not convicted, but there is still a...there's still a court record of the fact that you...you were arrested and you pleaded guilty or stipulated to the...the facts in the case and as a result of that guilty plea, the court gives you a break and puts you on supervision and no conviction as such goes on your record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, well that...that was my understanding of...of the way this system worked and, therefore, I think it's very important that since it does work that way that one court should have an opportunity to know whether or not a different court in this State has already gone through this procedure. Now, the other question I had was, does this apply only to drunken driving violations or are we going to make this apply to reckless driving and everything else? What does this...does this bill only apply to drunken driving violations?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

No, Senator Schuneman, it applies to a series of serious motor vehicle laws violations including drunk driving, but also, as I think I said, driving while a license or permit is suspended or revoked, accidents involving death or personal injuries, reckless driving and drag racing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR BARKHAUSEN:

In my...in my...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Okay, Senator Schuneman.

SENATOR SCHUNEMAN:

Thank...thank you. I think it's a good bill and it ought to be supported.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. For some of you this may not be a very serious issue or you may not understand the seriousness of what you trying to do here. I recognize that the sponsor is concerned about getting those drunken drivers off the road and I am just as concerned as he is, but there's another side of this...this issue and Senator Rock touched upon it, that a lot of people drive...drivers license is their basic tool for employment; for example, Greyhound Bus Drivers, many trucking companies, truck drivers have to depend on their drivers license and those companies have very stringent rules when it comes to traffic violations. Now if a person is on...court supervision, that person is not guilty or had not been judicated guilty of that crime, that person's record should not be sent to the Secretary of State. Now, just yesterday we discussed what kind of information, it's my understanding that bill passed out of here, I voted against it, that the Secretary of State, under that law, would be able to disperse this information for a cost to anyone who...or business who requested that kind of information. The person then can lose their job, although they would not have been found guilty of a crime. That is very serious for a lot of people and I...I say to Senator Chew, that you should think very, very, careful before you pass this kind of bill and especially with all of the list of things that you have down here, because reckless driving could be as simple as a driver, in which I do, speed a little and go across the yellow line. And I do that and I'm sure all of you do

back...on your way back home.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Senator Barkhausen, isn't it a fact that part of the conditions of supervision, the judge asks you if you're on supervision prior to that time?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Sometimes they do and sometimes they don't, but the...unfortunately, there are people that might come before the courts who if they knew that the court didn't have a record of whether they'd been placed on supervision before they might be tempted to perjure themselves.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Well, let me assure you that every judge I ever appeared to had supervision whether it's for any kind of crime, whether it was drunk driving or even theft or shoplifting, the first thing the judge asks if you're on any other type of court supervision or on probation. Okay? Now, if you lie to that judge in court, that is perjury which in this State is a Class 2 Felony which has a minimum sentence of three years, and I don't think many people are going to perjure themselves because if they do they're going to hit themselves with three years. The whole intent of supervision in the court system is to operate, to allow a guy to give him a chance so you don't take away his car and his livelihood from going to and from work. If he does violate the trust of the court, the court will swiftly take that privilege away. They're giving him the opportunity to redeem himself because he made a mistake the first time. After that time, there's another prob-

lem. And I don't know what they do in your county, but I know in our county the state's attorneys check to see if there's any other court supervision before they grant supervision; in most of the counties downstate they do that, and if the state's attorney isn't doing that, then he is not doing his job. But most of the time they have to state before open court that they are not on...they're not on supervision, they're not on probation and if they make a misstatement it is perjury, and I think they will severely be punished by any court when you lie to the court and that's...a minimum of three years. And I...I think this bill is...is interfering with the court supervision because what you're going to find is, you're going to find all these cases continued and continued and continued, and the judges are not going to find people guilty, they'll find another way of getting this man out by reducing the sentence to a lesser charge. And I think the way the law is now, supervision is so that we can find somebody guilty but say, we give you a chance until you redeem yourself, six months or eight months. I think if you want to require something then you should require that the minimum of supervision should be six months or eight months or whatever you want to do. But to have a man's record reported to of every time he's arrested for drunk driving and he...and he...and he goes in and pleads nolo contendere and he takes whatever they offer him, because of his limited financial means he has a...you're going to create a problem. What you're going to do for that poor guy is, first of all the insurance companies would love this 'cause they could keep raising the guy's insurance premiums. That's what they're going to do. And I think that this is bad legislation. We have done a lot to...in this State for drunk driving, but I think this is bad legislation. We are interfering into the court's jurisdiction, the court's supervision; and I hear the cries from downstate that many people

now, they're...they're...they're having a hard time finding them guilty because they find out that this guy has got to drive to and from work. And if you want to put people unemployed and put them on welfare, that's what you're going to do here. You're going to make a man that makes a mistake because he happens to go to his kid's communion or...his godson's communion and he has a little too much to drink, he shouldn't drive, we all know that, but he makes this mistake and he'll never make it again. I think this bill should be put into study until these problems are worked out with the state's attorneys and the courts. And I think that the Secretary of State should start consulting and talking to the state's attorneys and the court system before he comes up...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator, your time has run out.

SENATOR LEMKE:

...with anymore legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

At the risk of...of belaboring this thing, Senator, it seems to me that the only situation that you're talking about is where you have had an expungement proceeding following a order...following an order of supervision. Is that correct? I mean, everything else would be on the abstract...state's attorney would order up the abstract, right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Joyce, it would...it would not be on the...abstract if supervision was granted. That keeps it off the abstract, absent a reporting requirement.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

...you mean on the...on the Secretary of State's abstract there's no record of an arrest?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Not of an arrest, only a conviction, and supervision is not a conviction and therefore would not be on the abstract.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra. Senator Davidson.

SENATOR DAVIDSON:

Well, there's a couple of things which haven't been discussed on this bill, and I rise in support of this bill. This came from Motor Vehicle Laws public hearings and the thing you didn't talk about, gentlemen, is, apparently there are some lax judges in some different areas of the State and some particularly in the county which one of the previous speakers spoke of. There is documented evidence presented that we had people on court supervision for being arrested for...driving under the influence and the court put them under...supervision, not once, not twice, not three times, but five times. Now what about the innocent individuals who got either struck or could of got injured or, more permanently, deceased because this individual that you're suddenly feeling so sorry for that he's going to have this happen or that happen? All this bill does, says, listen fella, if you're caught and you're convicted, the court's not going to put them under supervision for driving under the influence unless they have a legitimate reason, belief that the person was guilty. Now that's what it's all about, so it's anti-

fied, there is a record, a central source to refer to from wherever, whenever anyone in...in law enforcement or the Judicial system needs information, is this individual or has this individual been on court supervision. In other words, has he had his free chance? And if the answer is yes, and he's in before you again, then he doesn't get the next free chance. All...you talk about giving the person one more chance, this bill gives one more chance, but more importantly, from this there will be a central source of information so us innocents driving around out here don't get another...give that guy another free pop...he or she, a free pop at us one more time while they're driving under the influence. It's a good bill; I urge a Yes vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate, I rise in favor of this bill. I think House Bill...817 as we've discussed already, but I think we're missing the point and I think Senator Davidson did stress some of the point but I think this is basically a record keeping piece of legislation to help the court system to be able to determine on how many occasions a person has had court supervision. As I understand, there's people now that with...still driving with as many as five court supervisions around this State still drinking and still driving; and this is what this legislation is trying to get to, to make that information available to those court systems so they can, in fact, contact the Secretary of State's Office and find out how many times and how many opportunities they've had on...court supervision so they can eliminate the person that has not learned a lesson from the first or second time on a DUI. I think we ought to pass this piece of legislation. I think it's going to save lives and I think the court...it doesn't...bypass the court system,

it assists them and it allows the Secretary of State to make good decisions on removing those licenses after the offense has been committed on several occasions. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Chew, are you rising to close as the hyphenated...new hyphenated cosponsor or to speak on the bill?

SENATOR CHEW:

Which one would the President desire?

PRESIDING OFFICER: (SENATOR SAVICKAS)

To close.

SENATOR CHEW:

I shall take that honor. Thank you, Senator Rock, I hope your friends will...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...

SENATOR CHEW:

...propel me into the Congress.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Chew, just a moment. Instead of rising to close we have Senator Rock for a second time. So after you speak we will recognize Senator Rock. Senator Chew.

SENATOR CHEW:

If...if the President wants to oppose my bill, the President is supposed to come down to my office and tell me, as a friend of his, Charlie, let's work this thing out. Now I charge the President with violating the courtesy that goes with the Senator, and I'm going to protest the President of the Senate not having informed me that there was some problems with the bill, we're friends. Now, I shall close.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'm sorry, Senator, you cannot close yet. We have other Senators that sought recognition to speak.

SENATOR CHEW:

...the message?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, you don't understand...

SENATOR CHEW:

Oh, I don't understand.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...the message is that he is the President.

SENATOR CHEW:

I gave him all that credit. I'm going to send him to the United States Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

He's a friend of mine...and I'll work with him in Washington. The Rock and Chew team...the Rock and Chew team, will be the best team that Illinois has ever had, the Rock and Chew team. He'll take care of your business in the Senate and I'll take care of it in the Congress...in the House of Representatives. Chew and Rock...Chew to Rock, Chew to Rock, Chew to Rock, I'm with you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's a very strong closing statement. Senator Rock. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, since Senator Chew has only had the cosponsorship of this bill for less than twenty minutes, I really didn't have the opportunity to go down to his office and speak to him about it. But I would again point out and I would ask you to seriously consider, we are all, as I indicated, and there has been a great number of recommendations from both the Office of the Secretary, for whom I have a great deal of respect, from the Motor Vehicle Laws Commission, from the Transporta-

tion Study Commission, it goes on and on and that's fine. But what you're talking about here is...is making...spreading of public record an acquittal. And for goodness sake, if one's innocent, one's innocent. And how many ever arrests you've previously had, frankly, if you're found innocent is immaterial...ought to be immaterial. We're talking about an acquittal, a discharge, not a finding of guilt, and I would hope you'd bear that in mind. I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Since there's no further discussion, Senator Barkhausen may close.

SENATOR BARKHAUSEN:

Just to straighten out a couple of quick points, Mr. President and members of the Senate. Senator Rock is...is...too good a...a lawyer to...to be saying that supervision is tantamount to an acquittal because it isn't. Before a defendant is...is put...placed on supervision, there has to be a finding of guilt by the court or a stipulation to the facts...to...to facts that would amount to or justify a finding of guilt, and earlier there was a statement that this bill would require the Secretary of State to be keeping track of arrest records and that's not what happens. If a person is arrested and has the charge dismissed for one reason or another or is found to be not guilty by a judge or jury, there is nothing that will be reported to the Secretary of State, nothing that will go on that person's record. So where there is an acquittal, where there is a finding of innocence, that person will not be in jeopardy and no court will ever know that that person was previously arrested, if he or she should subsequently be arrested...supervision is...is sort of a...a strange hybrid in the sense that...that, no, it is not a conviction and yet it does require a finding of guilt. But it is to the advantage of a defendant to be placed...to be placed on supervision because

it means that the...the sanctions that normally apply to those who are convicted do not...apply to the person that's given the benefit of supervision. So we should understand that by giving supervision in the first place, we're...we're giving a person a break. All we're saying is that courts ought to know when an offender has on a prior occasion been given a...been treated somewhat leniently, so that when we're dealing with these most serious motor vehicle offenders, be they DUI offenders, be they people who have been in accidents and...and caused deaths, that the courts know what they're dealing with. I think this is urgent legislation that is needed for motor vehicle safety in this State, needed for the victims and potential victims of these types of offenders and...and I strongly urge the passage of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Egan arise?

SENATOR EGAN:

...because Senator...the sponsor has...is closing. I just wanted to rise on a point of personal privilege and...and make sure that everyone is of the factual disposition that before a finding of supervision is entered you do not have to have a finding of guilty. You may have to do that in Lake County, Senator, but that is not the law. A supervision is a conclusion and a disposition in a criminal matter which is sui generis, it is of itself a finding. You do not have to have a finding of guilty before you enter supervision. And I think that everyone should be totally aware of that and I think the...the point that Senator Rock makes is...is that which he makes very succinctly and I think should be commended to your consideration, that once the disposition of a case is entered, that's it, now. The ultimate conclusion of that disposition is what the Secretary wants to record. And what Senator Rock is saying is that why should the Secretary be afforded that opportunity to record a find-

ing of not guilty when, in fact, that is the fact. It's just a delay during the period of supervision and the finding of not guilty for those who are philosophically attuned that way should not have to be recorded. And you do not have to have a finding of guilty before the entry of the order of supervision. That's all. You lost me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen, would you like to close...again?

SENATOR BARKHAUSEN:

I don't think so, Mr. President, other than to say that I have an honest difference of opinion with Senator Egan and I guess Senator Rock as to the nature of supervision because I...I'm not looking at the supervision...the section of the Criminal Code dealing with supervision. But my...my memory serves that it provides that supervision will only be granted where there...where there is a plea of guilty entered or where there's a stipulation that...that the facts are such that would justify a finding that the defendant is guilty. It is certainly not an acquittal, nor again does this bill require a reporting of arrest records, only the granting of supervision itself.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 817 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 35, the Nays are 13, 7 voting Present. House Bill 817 having received the constitutional majority is declared passed. House Bill 818, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 818.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 818 pertains to the general State Aid Formula and provides that for any school district whose 1982 equalized assessed valuation is eighty percent or less as a result of the Farm Land Assessment Act of 1981, the district's general State Aid shall be computed using the 19 EAV. There was much discussion with this bill in the committee, and I think by amendment Senator Maitland will be...supporting it and hopefully Senator Berman also.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Luft moves...if not, the question is, shall House Bill 818 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 818 having received the constitutional majority is declared passed. House Bill 826, Senator Dawson. House Bill 828, Senator DeAngelis. House Bill 831, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 831.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LENKE:

What this does is...amends an Act to revise the law in relation to recorders. Permits rather than requires a recorder to require extra copies of subdivision or condominium maps or plats to accompany an instrument to be recorded.

I think this is a bill...a good bill and it's similar to a bill that we passed out some time ago that Senator Vadalabene had. I think we should...this just simply permits them, if they don't want to and they don't need them, then...they don't have to take them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 831 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 831 having received the constitutional majority is declared passed. House Bill 833, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 833.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE: .

Thank you, Mr. President. Ladies and Gentlemen of the Senate, this piece of legislation would have the Department of Revenue make quarterly reports to municipalities and counties and reporting to them the amount of dollars that they have collected on their...on their behalf. The department now gathers the data, but this legislation would have the department collate the data and make these quarterly reports. This piece of legislation is an outgrowth of the work of the Local Government Accounting Task Force and it's the implementation of one of their recommendations. Be happy to respond to any questions. If there are none, I would ask for your approval.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 833 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 833 having received the constitutional majority is declared passed. House Bill 834, Senator Holmberg. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 834.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

This requires school boards to file with the regional superintendent a list of all unfilled teaching positions and requires that the regional superintendent make them available to the public as well.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. I'd just like to let my colleagues know from DuPage County, our regional superintendent already does it. I think it's a good practice and I suggest we uphold this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 834 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...on that question, the Ayes are 46, the Nays are 9, none voting Present. House Bill 834 having received the constitutional majority is declared passed. House Bill 835,

Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 835.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 835 is a State police longevity pay increment bill and it adds the twenty-fifth year to the schedule of such pay increments. And I would...appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 835 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 5, none voting Present. House Bill 835 having received the constitutional majority is declared passed. House Bill 836, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 836.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 836 is the bill which has the backing of the Department of Law Enforcement and basically amends that section of the State Police Code which deals with back pay. If an accused trooper is found not guilty or has served a period of suspension greater than prescribed by the mit

Board, the board may, by this bill, instruct that the officer receive compensation for the period involved. Without this bill a trooper found not guilty could not receive back pay and has had to file a claim with the Court of Claims in order to be justly compensated. This of course is unfair and the DLE agrees with their concern, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 836 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 836 having received the constitutional majority is declared passed. House Bill 839, Senator Grothberg. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 839.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grothberg.

SENATOR GROTHBERG:

Thank you, Mr. President, fellow members. House Bill 839 is identical to the bill that we sent out of here on the Agreed Bill List...last...a couple of weeks ago regarding the hold harmless for tort liability of any employees of local government that have...worked details out of the...out of the probation offices from the courts to the county, township, municipality, any unit of local...government and they are held harmless. That's all it does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any...is there any discussion? If not,...the question is, shall House Bill 839 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 839 having received the constitutional majority is declared passed. For what purpose does Senator Grotberg arise?

SENATOR GROTBORG:

I should of, at that time, offered the Body the opportunity to kill a bill in the presence of my wife, Jean, and I do thank you for passing it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's why we passed it, Senator. Senator Nedza moves to reconsider the vote. House Bill 840, Senator Nedza. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 840.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What the bill does is it provides for a county sheriff if he is appointed as the Emergency Service and Disaster Agency Coordinator for that county, then the sheriff may receive additional compensation. This is permissive, it's not mandatory. There's a schedule of remuneration which starts based on population. It starts at fifteen hundred dollars, it's capped at forty-five hundred dollars. Know of no opposition to the bill. I would request your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 840 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 57, the Nays are none, none voting Present. House Bill 840 having received the constitutional majority is declared passed. House Bill 842, Senator Nedza...or Etheredge. House Bill 848, Senator Schuneman. House Bill 849, Senator Welch. House Bill 853, Senator Bloom. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 853.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. House Bill 853 addresses two issues. One of the ongoing problems that the Joint Committee has as they review proposed rules and regulations is that many times there are Federal regulations or various standards, I'm thinking of...of BOCA, for example, in building, that are referenced in these regulations and rules. And there has been some problem in exactly where the ordinary person or person who would be affected, where they would go look for it. So what 853 does is to provide the procedures where you can find trade associations or...Federal regulations and how you can incorporate by reference in your State regulations. The other portion of it addresses...the chairmanship of the committee, and one of the strengths of the committee has been that it has a revolving gavel in the sense that after two years the chairmanship must pass back and forth. As you recall, I amended it and now it says it goes from political party to political party. I think it's a good idea. I think if Congress did something like that we'd get fewer goofy laws. Anyway, I'll answer any questions you

have; otherwise, I'd ask for a roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. A question to the sponsor. On the incorporation by reference, do you incorporate as of a given date or do you also authorize incorporation of amendments as they may occur from time to time?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

That is a good...that's a good question, if I understand it, I'll try and answer. What we do is say that...we try and make the standards available to an interested party without forcing the agency to duplicate all of the standards all of the time with each rule. So what it says is, "The reference in the rules must fully identify the incorporated matter by location and date and must state that the rule does not include any later amendments or additions so that an interested party is not misled." And then, agency, you keep a copy of what you're incorporating by reference so an interested party or group would have a chance to go at it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Then, if there were to be later amendments in the rules or Statute that was being incorporated, it would have to be redone by that agency since you are using a date certain for the incorporation. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Right. That was the...that was the draw you had to make, you'd say, fine. If the Feds then changed their rags and of

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course their regulatory process is glacial so no one would be particularly surprised and it impacts on a State agency then they would change their rags too.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 853 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 853 having received the constitutional majority is declared passed. House Bill 859, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 859.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. House Bill 859 as amended amends a township law. In order for a township to purchase a community building at the annual town meeting, a petition containing not less than ten percent of the...registered voters of the township must be presented to the town clerk authorizing such action. This amendment was suggested by the committee since as few as ten electors may show up at the annual town meeting and take such action. The result of this legislation will probably be more participation of township citizens at the annual town meeting, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Keats.

SENATOR KEATS:

Just a question of the sponsor. Is it not true this is a

nonreferendum tax increase, period?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

This is only to purchase buildings.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

But there's no referendum...no clause in the bill, unless I'm misreading the bill. Perhaps there's a line that I didn't see, but there's no referendum clause in the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Under current law, the township electors are authorized to sell, convey, lease, regulate or use the township's corporate property. House Bill 859, this bill, adds purchase.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

In other words the answer is, yes, this is a nonreferendum tax increase...to pay for a specific project?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, having been a former township attorney, I can tell you that prior to the consolidation of elections the electors at the regular noticed town meeting had the authority to do this. And all this bill does, if I understand it correctly, is allow the township electors to do what they could do before the consolidation of elections. So, I think it's a good bill and it does bear the stamp of approval from the township officials of Illinois. If you've ever attended a township meeting,

it's the electors there at a regularly called town meeting that's been regularly put notice of which...been served by publication in the papers and that's it. I'm...I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. A question for the...the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR FAWELL:

On that...on the amendment that you have added, does that require that a petition must...of ten percent of the voters must be presented by the town clerk before this election can be held?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, that is correct, and it also...this amendment was suggested by the township officials.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

So, for in other words, before the...this action can take place, ten percent of the...the population at least must have...thought it was a good idea and signed a petition saying so. Is...is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

That is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

To the bill, I have, over my years in government, been at a number of town meetings and...and it is very true that they are especially attended. But it seems to me that if...if ten percent of the voters have to sign a petition like this that you've at least got ten percent of the people who know about it before they knew about it before this petition was signed and...which is a heck of a lot more than under the present system. I think it's a good bill, and I would suggest that we all vote Yes for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. I rise in support of the bill because in the committee at the time that we heard this bill the committee expressed a view as...as to the amount of electors that could show up at a specific meeting. The reason for the amendment was the committee thought that a greater number of participants would...would be better for that specific township and that's why the amendment taking the ten percent of the registered voters of...of the township. Prior to that, as many as five, six, seven, ten electors could show up and govern the entire township. Now, Senator Keats, concerning taxes, they...they will not...in no way will this alter any of the existing tax rates that presently are existed. So, it's not a backdoor referendum, it's a straight outfront where the communities are participating, and I support this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Yes, thank you, Mr. President. I concur with what Senator Nedza just said. We had considerable discussion in committee on this bill and we asked for the amendment. The

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amendment was adopted on 2nd reading and that satisfies, I think, everybody in the committee that had a question. And I would ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any further discussion? Senator Vadalabene. The question is, shall House Bill 859 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 48, the Nays are 7, 1 voting Present. House Bill 859 having received the constitutional majority is declared passed. House Bill 860, Senator Davidson. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 860.

(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, the bill does exactly what it says plus it allows the paper pickup for Illinois Municipal Retirement League...I mean, Illinois Municipal Retirement Fund. This has support of the Pension Laws Commission. This allows paper pickup only, there's no money involved. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 860 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 3, none voting Present. House Bill 860 having received the constitutional majority is declared passed. House Bill 862, Senator D'Arco. House Bill 863, Senator Etheredge. Read the bill, Mr. Secre-

tary.

SECRETARY:

House Bill 863.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This legislation establishes the Minor Identification and Protection Act. What it does is to permit parents to go to the local municipal police...department or the county sheriff's office and request fingerprints be made of their minor children. These to be used for identification purposes if necessary in...in the future. The law also makes provision for these departments to charge a fee to cover the cost of the services. I should point out that there is no requirement that this information be stored so that this does not create a...a downstream burden for these public agencies. Police departments, including the Chicago Police Department, now provide this service. They like this bill because of the provision which makes it possible for them to charge a fee for their services. The bill is also supported by the Sheriff's Association and by the PTA. I'll be glad to respond to any questions you may have; if none, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I speak in favor of the bill. I think it's a good...protectory measure of a child, particularly when the child is heisted away by some felon and I...I think it's...it's a good thing. I don't think there's anything wrong with it, I certainly

speak in favor of it completely.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 863 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 4, none voting Present. House Bill 863 having received the constitutional majority is declared passed. House Bill 866, Senator Hall. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 866.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 866 amends an Act relating to township purchases. It increases from two thousand five hundred to five thousand the maximum expenditure by a township without accepting bids. The two thousand five hundred statutory dollar amount requirement for bidding was added to the Township Code in 1969. The bill applies to township purchases for services, material, equipments or supplies. This bill is supported by the township...officials of Illinois, and I ask your most favorable support of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 866 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 3, none voting Present. House Bill 866 having received the constitutional majority is declared passed. House Bill 867, Senator Hall.

Read the bill, Mr. Secretary.

SECRETARY:

House Bill 867.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Yes, this increases the twenty-five hundred to five thousand the maximum expenditure by a water district for construction equipment without accepting bids. The...statutory dollar amount requirement amount for bidding was last changed in 1977 from five hundred to the current twenty-five hundred. House Bill 868 brings the statutory dollar amounts into conformity...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we're on 867.

SENATOR HALL:

...with us. Which one are we on?

PRESIDING OFFICER: (SENATOR SAVICKAS)

867.

SENATOR HALL:

Hold on. I'm sorry. 866...867 amends the Metro-East Sanitary District Act. It increases from four thousand to five thousand the maximum expenditure by the sanitary district for work and supplies without advertising for bids. The four thousand statutory dollar amount requirements for bidding was added to the District Act in 1974. This bill brings the statutory dollar amounts into conformity with other units of local government. I ask your most favorable support of this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 867 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 45, the Nays are 10, none voting Present. House Bill 867 having received the constitutional majority is declared passed. House Bill 868, Senator Hall. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 868.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall, we've heard the speech. Shall we have a roll call?

SENATOR HALL:

Yes, on 868, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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 5, none voting Present. House Bill 868 having received the constitutional majority is declared passed. House Bill 870, Senator Buzbee. House Bill...read...read the bill, Mr. Secretary.

SECRETARY:

House Bill 870.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This extends the dates for filing with the systems statements on the downstate teachers article of the Pension Code with amounts withheld from salaries. The current law does not provide for the enforcement

of the filing deadline. This causes a delay in the system's ability to update processing records and issue an annual financial statement. Since only eight percent of the reports were filed after August 15th in 1982, this bill extends the current statutory deadline to August the 15th, and furthermore a two hundred and fifty dollar per day late filing fee is provided in order to insure enforcement. Extends from August the 1st to August the 15th the filing date deadline for schools to submit annual reports to the system. It imposes a penalty of two hundred and fifty dollars for each day after August 15th until the system receives the report, and I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the...the question is, shall House Bill 870 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, none voting Present. House Bill 870 having received the constitutional majority is declared passed. House Bill 873, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 873.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The law currently authorizes school districts to provide not more than four days annually of institutes or equivalent professional educational experiences. The programs have to be approved by the regional superintendent of schools. This bill simply enlarges the definition of what is a qualifying institute or other profes-

HB 880
3rd reading

sional educational experience, in effect, to permit those institutes to take place in other kinds of places. For example, specifically, the Evanston School District or an Evanston school district wanted to have its teachers institutes at several places of business, at a museum and the current law simply did not permit it. Another possibility would be to have an institute at Argonne National Laboratory, obviously, extremely important, useful, beneficial experiences, but not technically covered by the present law as it is worded.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 873 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 873 having received the constitutional majority is declared passed. House Bill 880, Senator Lenke. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 880.

(Secretary reads title of bill)

3rd...3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Lenke.

SENATOR LENKE:

This amends the Wage Payment Act to clarify and define what the definition of employer and employee means and...and this makes the definition the same as the Unemployment Insurance Act. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 880 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 58, the Nays are none, none voting Present. House Bill 880 having received the constitutional is declared passed. House Bill 881, Senator Zito. House Bill 883, Senator Maitland. House Bill 884, Senator Holmberg. House Bill 921, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 921.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This bill deals with indirect costs that are received by State agencies and attempts to set up a uniform orderly procedure for dealing with them. At the present time there really is no statutory law that covers either the application, the receipt, or the accounting of indirect reimbursements; for example, under Federal Grant Programs. This requires that all of them that are available be applied for, that accurate records be kept concerning the application, the use, the deposit and so forth of those indirect reimbursements, that they be deposited within thirty days of receipt and the fund to which they were to be applicable, and if there is no applicable fund that they go into the General Revenue Fund. I think it does tie together a practice which is very loose at the present time. The bill was proposed by and is sponsored by the Legislative Audit Commission. I would solicit your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 921 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 57, the Nays are 1, none voting Present. House Bill 921 having received the constitutional majority is declared passed. House Bill 922, Senator Philip. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 922.

(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 922 amends the Illinois Insurance Code to require annual audits of insurance companies with assets over five hundred thousand dollars in liquidation or rehabilitation. It's supported by the Legislative Audit Commission, Department of Insurance, Illinois Life Insurance Council. I'll be happy to answer any questions, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion?. Is there any discussion? If not, the question is, shall House Bill 922 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 922 having received the required constitutional majority is declared passed. 923, Senator Vadalabene. Read the bill, Mr. Secretary, please.

END OF REEL

REEL #7

SECRETARY:

House Bill 923.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, House Bill 923, as well as 924 and 925, are Audit Commission bills. House Bill 923 provides that Saturdays as well as Sundays and holidays are to be disregarded in determining compliance with the forty-eight hour deposit rule for receipts to be deposited in the State Treasury. This legislation was requested by the Legislative Audit Commission, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 923 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 59, the Nays are none, none voting Present. House Bill 923 having received the required constitutional majority is declared passed. House Bill 924, Senator Vadalabene. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 924.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, House Bill 924 is another Legislative Audit Commission bill, and the sole purpose of House Bill 924 is to transfer the sum of 1.5 million dollars from the Communications Revolving Fund to the General Revenue Fund. The Department of Central Management Services is in support of this bill, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 924 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 924 having received the required constitutional majority is declared passed. House Bill 925, Senator Vadalabene. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 925.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

House Bill 925 amends the Housing Development Act. It eliminates the requirement that the Illinois Housing Development Authority file professional, technical and artistic contract with the Auditor General; second, it requires filing with the State Comptroller. This is a housekeeping legislation. When the State Comptroller Act was enacted the filing requirement was transferred to the State Comptroller's Office. It was...apparently was overlooked, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 925 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 59, the Nays are none, none voting Present. House Bill 925 having received the required constitutional majority is declared passed. House Bill 926, Senator Lemke. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill...926.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lenke.

SENATOR LEMKE:

What...926 does, removes export trade from the application from the provisions of the Illinois antitrust laws unless the export trade was a direct and substantial in reasonable foreseeable effect on import trade or domestic trade, and also the export trade causes injury to other domestic businesses by injuring the export trade of those businesses. Injury to other export businesses will not be construed as a violation of the State Antitrust Act unless such injury can be shown to have effect of exporting business. What were doing here is to...the Federal Export Trade Act in 1979 exempt export trade companies virtually from all Federal antitrust laws. This makes our State law in compliance with the Federal law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 926 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 59, the Nays are none, none voting Present. House Bill 926 having received the required constitutional majority is declared passed. 929, Senator Davidson. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 929.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Davidson.

SENATOR DAVIDSON:

Does just what the Calendar says. This is...came out in the public hearings, this gives the districts which want to consolidate an opportunity and a reason to want to consolidate. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Is there any discussion? Any discussion? Question is, shall House Bill 929 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 59, the Nays are none, none voting Present. House Bill 929 having received the required constitutional majority is declared passed. 930, Senator Davidson. House Bill 933, Senator Netsch. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 933.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 933 would require

the Bureau of the Budget to provide quarterly statements showing estimated cash needs, expenditures, transfers and revenues of the general revenue in common school funds. This is, I think, as we have learned during the past year to eighteen months, extremely important to the public at large and to the members of the General Assembly in particular. It used to be done; it has not been done in recent years; it should be done again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 933 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 933 having received the required constitutional majority is declared passed. 934, Senator Lemke. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 934.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is provides that certain debts of counties for monies retained by the counties under the Real Estate Transfer Act from the sale of tax stamps before May 17, 1979 rather than August 7th, of '78 are forgiven. This is in regards to a court case that withheld the Real Estate Transfer Act...unconstitutional. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 934 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 934 having received the required constitutional majority is declared passed. House Bill 935. Is there leave to return to that in a few minutes? Leave is granted. 944, Senator Vadalabene. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 944.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, House Bill 944 provides that the State Police Merit Board be independent of the Department of Law Enforcement. This legislation was requested by the Fraternal Order of Police. The FOP feels that the board should be an independent agency, free from any involvement of the department, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 944 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 56, the Nays are 3, none voting Present. House Bill 944 having received the required constitutional majority is declared passed. 946, Senator Holmberg. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 946.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

This bill provides that the indirect costs of transportation can be included in a school district's reimbursement claim. This is when a school district owns it...its own transportation, and up until this time they have not been able to do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR ROCK:

I just wondered what the fiscal impact was.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

There...none. It's just a redistribution of the money and allows them to do what districts that contract right now for their bus service already do, and it's...it's a cap on it of five percent of their total pupil cost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...further discussion? If not, the question is, shall House Bill 946 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 49, the Nays are 9, none voting Present. House Bill 946 having received the required constitutional majority is declared passed. 947, Senator Nedza. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 947.

(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. This is identical to Senate Bill 572 which passed out by this Body, and what the bill does is allows the sanitary district to make an emergency purchase up to twenty-five thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 947 pass. Those in favor...all right, Senator Joyce. Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

What did they have in mind to buy?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Nedza.

SENATOR JEREMIAH JOYCE:

Oh, yeah, I withdraw the question. I don't care, I was just...I was just kidding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any further discussion? All right, the question is, shall House Bill 947 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...2 voting Present. House Bill 947 having received the required constitutional majority is declared passed. House Bill 949, Senator Schuneman. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 949.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and members of the Senate. House Bill 949 adopts a new nonforfeiture and valuation Statute for life insurance policies and annuity contracts which are written in Illinois. Briefly what the bill does is replace the 1958 mortality tables with the commissioners 1980 standard mortality tables. It also provides a new system for automatic annual updating of the statutory interest rates. This...adoption of this bill should certainly be a step in the right direction as far as consumers are concerned, because it will allow insurance companies to base their rates on the greater life expectancy that appears in the 1980 mortality table, and it also allows for a higher interest rate assumption on policies which would be good for consumers also. I'll be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...any discussion? Senator Darrow.

SENATOR DARROW:

Yes, will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Darrow.

SENATOR DARROW:

Well, not...not all of us are involved in the insurance industry, some of us are just country lawyers and don't understand all these insurance terms. What did you say about interest rates?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

What...what the bill would do is allow insurance companies in figuring the rates on policies to assume a higher level of interest earnings on the premiums, thereby making

possible a reduction in premium charges.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Further discussion? If not, the question is, shall House Bill 949 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 Ayes are 57, the Nays are 1, none voting Present. House Bill 949 having received the required constitutional majority is declared passed. 952, Senator Grotberg. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 952.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Grotberg.

SENATOR GROTBEBG:

Thank you, Mr. President and fellow members. I know that I will have your rapped attention for a few moments at least. 952 is the bill that was discussed thoroughly as it was amended yesterday and now contains the optometric...the...the eye drop amendment for optometrists and that's no secret. It's not my intent to debate the bill today on its merit, we sent it out of here with I believe 38 or 40 votes on its merit. What I would like to do is have a little show and tell session on what happened after it left here. It went over to the House in its normal fashion and the House committee suddenly got the blue flu at the time of the hearing which happens here and there, it's not a...phenomena unique to the House, but then on a discharge motion it go bluer and fluer and later on, I believe, a Friday afternoon and there it lingered into death. Now, comes the vehicle which I'm honored to carry, 952, which is a nothing bill that add con-

tact lenses to the language of the Optometric Practice Act. The House sponsor had indicated in House committee that this would not...that 952 would not be a vehicle bill. I was home ill when Senate committee heard this and put it out. So, I had no commitment in committee or out of committee. I believe it went out on the Agreed Bill List. By the time I got back, I found out what happened to the optometric bill that we sent over; and most of you know my friend Joseph Ebbesen, Representative Ebbesen, rather well, a man of his word. I told Joe I didn't make such a commitment. When I see what happened to that good bill sent out of here by the Senate after all the hard work and the manner in which it got treated in the House and those effective people who did it to it, and I shall not mention any names, I think we should send it back on a concurrence, could be one honest House roll call on that bill; and with that, I'll answer questions, do anything you want, or just remember those of you who sent the thing over, that the curse is on Grotberg...the curse is on Grotberg. I said I made no such commitment. When we send bills over there...yeah, that may not help, Senator Buzbee, but don't let us get a lot of blame going around about who said what to who. That is the truth and that is where this bill belongs on a roll call on concurrence in the House of Representatives, hopefully, in the middle of the day before the blue flu attacked in committees and on the Floor. With that, I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Keats.

SENATOR KEATS:

I will be very brief 'cause my understanding there are quite a few people are going to speak or no one's going to speak, it's been one way or the other, but I think we all know when you make a commitment not to amend the bill, you Table it if someone does amend the bill at a later date.

We've all done that. I've had that happen to bills of mine that I agreed not to amend. When they got out, someone put an amendment on. I said take the amendment off or I'll Table it. If the amendment wasn't taken off, I Tabled the bill. That is an agreement and we...you know, we live by that. Speaking to the merits of the bill, I think there can be some question as to that, but I think the issue is not really the merits of the bill anymore.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. I find myself in a very awkward situation with this particular piece of legislation, because for more than two years I have worked with the Illinois Optometric Association and with the Illinois State Medical Society in...in trying to...propose a compromise acceptable to both of those professions. We were not successful in getting a complete compromise but I do believe that we were successful in achieving a...an amicable legislative division of the issue to where we passed the bill out 48 to 8. Now I am personally faced with the problem of voting for a bill that I feel, in my own innards, that a...a...that the legislative integrity is in question here. I told the optometrists and I told the Illinois State Medical Society that I would take this bill and do my darnedest to get it out of this Body, and we did. I also asked them this week...weekend that I did not think it was appropriate to put this bill having had two...two shots in the House, once in committee, once on the Floor on a motion to discharge, that it would be harmful to their cause to attempt to pass this bill by amendment particularly to a bill where the House sponsor had been asked point blank whether this particular piece of legislation would be added to this particular bill, and the answer was in the negative. Now to do that puts all

of us, Joe Ebbesen, John Grotberg, Terry Bruce and the members of this Senate in a very tough spot. My solution is that I have not asked either any member of this Body on this bill to support it. I have not asked any member of this Body to...to oppose it. I have not spoken to anyone except Senator Buzbee a moment ago about this bill at all. Because of my own personal feelings, I will plan to vote Present until the two societies, the Medical Society and the Illinois Optometric Society get together and decide that there is a way out of this without putting us and our integrity on the line.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you. I...I've just been informed that the UAW is for this bill. Now I don't know what that means. I don't know if that means I'm supposed to vote for it or not vote for it, I'm not sure. But that's not the point, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Grotberg, for what purpose do you arise?

SENATOR GROTBBERG:

To pick up the speed of this thing, we have just been informed by the House sponsor that he would not want this thing to go on in that condition with these...that kind of a record and to take it from the record and let us work, work and work. Okay?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there leave to take it out of the record? Take it out of the record. Leave is granted. House Bill 954, Senator Grotberg. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 954.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Grotberg.

SENATOR GROTBORG:

Well, thank you, Mr. President and Ladies and Gentlemen, this is the good Ebbensen bill. Those of us who serve on the Public Aid Advisory Committee and all of those of us who read the newspapers realize that social security people pass on from this world and the checks keep coming, and everything possible from Washington down to the township level seems to have been done to help the process along in finding out who dies in this country; and this...thrust of this bill come after much conversation that probably the undertaker...the funeral director, I'm sorry, Senator Weaver, the funeral director is the last one who really knows that you're gone, and that probably in some formal manner among the other papers that he has to sign, a postcard to the appropriate authorities telling them that you no longer have to mail the checks, would you please take Joe Blow from the rolls might speed up the process as far as Illinois is concerned. And nobody wants to load up any profession with more work, but certainly this would identify and send to the Department of Social Security locally, Washington and the Department of Public Aid. It's a may bill for the Department of Public Aid. They can throw them in the wastebasket or do whatever they want to with them, but the...Department of Public Aid is not without some confusion in its own right as to who passes on in the State of Illinois, and it may well be useful and they may accept the privilege of using such data. With that information, I'm sure there's another side to the issue, and I'll yield to anyone who wants to ask questions.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Is there any discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Collins.

SENATOR COLLINS:

Senator...Grotberg, there was some discussion in committee as to whether or not the Federal Government would like to receive this information and, in fact, what would they do with it if they received it? Why...why would we demand the undertaker versus the doctor who certified that person as being dead to send this information...why...why the...the undertaker and why to the Federal Government? I can understand that this Body got more to do and have not done that which it has...should be doing for the living and we sure as hell don't...have to be worrying about those who are dead. Now, I think you are...this is really ridiculous. I don't care who asked for this. This is just something we don't need to be doing. It's a waste of taxpayers' dollars to be processing this paper in this Chamber at this time, it's a...it's a waste of time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and members of the Senate. Already it's the responsibility of the funeral director to notify social security of the death of an individual with their social security number. Now if you want to include the Department of Public Aid in areas...I mean, in instances where the individual was on public aid that might be all right, but we already notify social security on every death.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will...he will yield. Senator

Welch.

SENATOR WELCH:

Is there a penalty for not reporting the social security number to these agencies?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Grotberg.

SENATOR GROTBERG:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

What's...what's the enforcement mechanism then in this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Grotberg.

SENATOR GROTBERG:

I missed the question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

What is the enforcement mechanism in this bill to make it effective?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Grotberg.

SENATOR GROTBERG:

...the...my...my consulting funeral director says lethal injection. No. The...the funeral directors are very thorough and the good will of the funeral director profession...this is something that we certainly didn't want to put in penalties or grab them by the throat in any sense.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

The synopsis that we have on this side of the aisle says

that, "Empowers the Department of Registration and Education to refuse to issue, refuse to renew, suspend or revoke the certificate of registration of a funeral director who fails to comply with the requirement in Section 1."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Grotberg.

SENATOR GROTBORG:

Repeat the question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Our side of the aisle has a synopsis which says the Department of Registration and Education can refuse to issue, renew, can suspend or revoke the certificate of registration of a funeral director who fails to comply with the requirements in this bill. Is that true?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch just asked a question of Senator Grotberg.

Senator Grotberg.

SENATOR GROTBORG:

I'm duly informed that it's true.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

So everyone has to have a social security number before they can have a burial, is that what this does in effect?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Grotberg.

SENATOR GROTBORG:

Oh, I wouldn't go that far, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Senator Grotberg, when this bill got out of commit-

tee...you do recall the rather spirited debate we had in committee? That's what I thought. Director Miller said that if the funeral directors sent him all these forms, he would have no choice but to throw them out as they came in because he had no staff to handle them and no space to store them and no money to computerize them, and if he did, he didn't know what good it would do anyway and we're still going to mail them to them, right? Now...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor...

SENATOR SCHAFFER:

...when it...when the bill left the committee, it left it with the understanding that the Senate and House sponsors were wonderful people but that we would get a clear-cut statement from social security whether they needed this information, whether they were already getting this information, and whether there was any need for the bill. Has such a clear-cut definitive statement surfaced to the best of your knowledge?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Grothberg.

SENATOR GROTEBERG:

To the best of my knowledge, no. I have a series of documents, actions being taken to prevent social security benefits from being paid, a report from the Secretary of Health and Human Services, a twenty page document; but given the speed of Federal Government, you and I will probably all be gone before they catch up with it.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Just between you and us, do we really need this bill? I mean, you know, wink twice, one each direction and we'll get on with it but...

PRESIDENT:

Senator Grotberg. I guess that was a rhetorical question.

SENATOR GROTEBERG:

Roll call.

PRESIDENT:

Now there are others who wish to...there are others who wish to address the issue. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Grotberg, let's let it all hang out. Let's tell the truth here now. When this bill was before committee, there was no proponents on this bill but the funeral directors enmasss and here they are; number one, Jeff Miller of the Illinois Department of Public Aid was...opponent of this bill; Thomas Morianto, Funeral Directors Association was opposed to this bill; Nash-Cook County Funeral Home was opposed to this bill; the Illinois Select Morticians were opposed to this bill; the Paris Funeral Home Association was opposed to this bill. There was no one in that session that was for this bill. Now the only person I know who's for that bill is evidently you and the sponsor...the other sponsor. Now you, and Senator has told you...Senator Schaffer has told you what the director said. Also I want to know as a member of the Public Aid Advisory Committee when was this ever discussed? Tell me that.

PRESIDENT:

Senator Groteberg.

SENATOR GROTEBERG:

It was at one of the meetings that you missed, Senator Hall.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Hall.

SENATOR HALL:

You must be having some meetings in the closet though because I don't miss none of them. This is a bad bill that's going to cost the taxpayers money and we should defeat it.

PRESIDENT:

Further discussion? Further discussion? Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. The...the distinguished sponsor said by lethal injection. I think the sponsor of this bill should practice that on himself. He has consistently brought before this august Body legislation to increase the workloads on an industry that's doing very well and there are no complaints. At the committee hearing everybody was against the kind of legislation that we have here. It's an extra workload. People do not need it and the bill should be given its final death blow now, and the Senator, again let me repeat, if you don't have the apparatus to give yourself that lethal injection, just wander on over here to this desk and I'll take care of it for you.

PRESIDENT:

Oh, yeah, it's getting to be that time of the day. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, just a quick question, Mr. President. I wondered how all these folks voted in committee.

PRESIDENT:

Further discussion? Senator Grothberg may close.

SENATOR GROTHBERG:

Well, thank...I suppose I better take one minute to tell you that it went out of committee unanimously. I would...I'll take one more second to tell Senator Chew that it was Senator...our resident funeral director who mentioned lethal injection, not the sponsor, and I would suggest to you that it is not funny when you read about checks coming for six or eight months after your demise and that somebody a lot

of them get cashed and then people go to jail. It's the House sponsor's good faith attempt to do something about it. It's...wouldn't that be a hell of a note if we did something about something in this Legislature? I'm surprised at you. I'm surprised at the previous speaker, and as far as the other previous speaker from the other side of the aisle on how did it happen and of all of the...you want me to read lists of sponsors on our side of the aisle of bills that didn't want them and you passed them, Senator Hall, my hit man, Senator Hall, your not listening, yeah...I can read you sponsor lists of bills that...that failed. I would just like a good roll call, and that's all.

PRESIDENT:

Question is, shall House Bill 954 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 21, the Nays are 22, 8 voting Present. House Bill 954 having failed to receive the required constitutional majority is declared lost. With leave of the Body, we passed over 935 since Senator Demuzio was presiding. Senator, do you wish to go back to that? On the Order of House Bills 3rd Reading, House Bill 935. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 935.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 935...expands the definition of a dependent...beneficiary for group health insurance program to include a person who is eighteen years

old, enrolled as a full-time student in an accredited school, dependent on an annuitant and an eligible dependent for Illinois State Income Tax purposes, or who is eighteen years old or older and mentally or physically handicapped as defined in the Insurance Code. The...it simply expands those definitions. It came out of committee unanimously. I know of no...opposition.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 935 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 935 having received the required constitutional majority is declared passed. The Chair would like to recognize the sudden appearance of Sondra Berman. The Berman's are happily celebrating a wedding anniversary today, and Sondra came down to help her husband celebrate. Senator Berman, you're entitled.

SENATOR BERMAN:

Well, she's put up with me for twenty-three years, and I've put up with this Body and the one across the rotunda for fifteen years, and it's nice to be with all of you but I'd rather be with her alone. Thank you, very much.

PRESIDENT:

Amen. Senator Lemke on 958. On the Order of House Bills 3rd Reading is House Bill 958. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 958.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

HB 960
3rd Reading

What this does is amends in civil procedures...Code of Civil Procedure, provides that all pleadings, affidavits or other documents to be filed in the court may be verified by certification or under penalty of perjury. This gives them another option of whether it should be verified by notary or...by certification. We specify the words of certification that by certifying, it's under the rules of perjury, and I ask for its adoption.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 958 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 958 having received the required constitutional majority is declared passed. Senator Kustra, 960. On the Order of House Bills 3rd Reading, the bottom of page 21, is House Bill 960. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 960.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This bill increases from twenty-five thousand to thirty-five thousand dollars the annual income threshold for filing economic interest statements. A similar Senate bill passed this Body two weeks ago. I'd ask for a favorable roll call.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 960 pass. Those in favor will vote Aye.

HB 961
3rd Reading

Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none voting Present. House Bill 960 having received the required constitutional majority is declared passed. Senator Berman. Senator Berman on 961, top of page 22. On the Order of House Bills 3rd Reading is House Bill 961. Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 961.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill creates the offense of unauthorized...use of television decoding and interception devices. The purpose of the bill is to encourage and to permit the proper usage of the expanding cable television and service television industry that we see growing in all of our suburbs and throughout the State. The bill provides details as to this new crime, it's a Class A Misdemeanor, and I'd be glad to respond to any questions that may be raised. I solicit your Aye vote.

PRESIDENT:

Any discussion? Any discussion? That old anniversary trick works all the time, Art. The question is, shall House Bill 961 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, none voting Present. House Bill 961 having received the required constitutional majority is declared passed. 963, I understand is on the recall. 965, Senator Rigney. On the

HB 966
3rd Reading

Order of House Bills 3rd Reading is House Bill 965. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 965.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Mr. President, similar to the legislation that we passed yesterday, we seek here to transfer two very small parcels of property that in total amount to slightly over three acres in the City of Dixon, Illinois from the Department of Mental Health over to what is known as the Kreider Center. The Kreider Center being an excellent shelter workshop operation in the City of Dixon. The purpose of the transfer will be to allow the Kreider Center to rehabilitate two old buildings that are standing on those two small parcels of property. When they are rehabilitated to the tune of thousands of dollars, then they will be housing some of the DD patients up there, in fact, some of those who are clients of the Kreider Center.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 965 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 965 having received the required constitutional majority is declared passed. Senator Lemke on 966. On the Order of House Bills 3rd Reading is House Bill 966. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 966.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does is provides that employees who leave a job are entitled to the monetary equivalent of the earned vacation time unless the terms of the collective bargaining agree...agreement provide otherwise. I think it's a good bill. I ask for its adoption.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 966 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 966 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 967. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 967.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does is provides that nothing in this Act will be construed to limit the state's attorney's power to prosecute violations of the Act independent of the Department of Labor. I think it's a good bill. I ask for its adoption.

PRESIDENT:

Any discussion? Any discussion? If not, the question

is, shall House Bill 967 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, 1...none voting Present. House Bill 967 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 970. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 970.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does is provides that laws of other states and territories when certified by the Secretary of State...of their Secretary of State are admissible evidence in Illinois courts. I think it's a good bill. I ask for its adoption.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 970 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 970 having received the required constitutional majority is declared passed. Senator Joyce, 972. On the Order of House Bills 3rd Reading is House Bill 972. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 972.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This bill authorized the use of county or township roads as landing strips for agriculture aircraft used in crop dusting and crop spraying. The average daily traffic count must be less than two hundred vehicles and there is many more stipulations in it but this is out in the country where there's no place to...to land. They'd have to fly back to an airport to refill with...with the chemical or whatever they are spraying. So this would make it much more convenient for them and the farmer.

PRESIDENT:

Any discussion? Is there any discussion? Senator Philip.

SENATOR PHILIP:

Are...are you telling me when I'm in my little back county road someday driving down and all of a sudden some airplane is going to come down and land on that road, and you're going to depend on the...on the Township Highway Commissioner to give permission for that? You've got to be kidding me. I am going to tell you there are airports now for...taking off and landing without permission, and you're going to let them do it on country roads? You've got to be kidding.

PRESIDENT:

Further discussion? Further discussion? Senator Joyce may close.

SENATOR JEROME JOYCE:

Well, I'm not kidding, and...and they're doing it now, presently, and...and in many areas where you get outside of, I guess, DuPage County, there...there's some country roads that are...have very few cars on them...less than two hundred vehicles a day must be used on the road. I'd ask for a favorable consideration.

HB 975
3rd Reading

PRESIDENT:

Question is, shall House Bill 972 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 2, none...none voting Present. House Bill 972 having received the required constitutional majority is declared passed. 74, Senator Bruce. On the Order of House Bills 3rd Reading is House Bill 974. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 974.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. This changes the schedule for reimbursemen to local school districts for special education costs, provides that the...beginning in FY '85 school districts shall be reimbursed on a biannual schedule instead of the presently quarterly reimbursement schedule. I would ask for your favorable consideration.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Houser Bill 974 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none voting Present. House Bill 974 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 975. Read the bill, Mr. Secretary.

HB 975
3rd Reading

SECRETARY:

House Bill 975.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This bill makes three basic changes in the Forest Preserve Act. First, it allows the forest preserves to develop land as well as acquire land, and currently the forest preserves may issue bonds equal to 2.3 percent of the assessed valuation for acquisition of new preserves. The change would allow for .3 percent of the 2.3 percent to be used to develop these lands. It does not increase the levy or taxation rates. It would increase employment for the development of these properties. Second change proposed in this bill would allow the forest preserves to acquire lands by lease or easement. Currently they can be acquired only by fee simple title. This would allow the preserves to save money by not being forced to buy full parcels; for example, an easement through privately held parcel for a trail rather than buying the whole parcel. And the third change brings forest preserves in counties of two hundred and fifty thousand into an equal position with counties over six hundred thousand. As an example, Cook County can acquire land in Elgin without permission but Kane County cannot. DuPage County can acquire land in St. Charles and Aurora without permission but Kane County cannot. This merely brings the smaller counties into...parity with the larger counties.

PRESIDENT:

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the

Senate, I'm a little concerned about this bill because on page 3, even as amended, it says that the forest preserves have the power to purchase...have the power to...hold on just a minute, have the power to...purchase or condemn, lease or acquire an easement in property within a municipality without the concurrence of the governing body of the municipality. Now if that's true, and it further says that no further municipality shall annex any land for the purpose of defeating a district acquisition once a district has given notice of intent to acquire...specified parcels of land. I have the utmost respect for the sponsor of this bill, but I'm afraid that this bill infringes on the rights of local government, and I think this infringement would be bad and, therefore, I have to speak against the bill, 'cause the local government has it's own...governing body and I certainly think they should be the ones who run the local government and not the forest preserve districts.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. I know there are some problems but in...a few downstate counties there are some forest preserves that are appointed and some of the...particularly the Farm Bureau and the certain areas are concerned with their activities and not being very responsive to...to their concerns. So, I have had some correspondence from some of them in opposition to this bill. I know what Senator Joyce is trying to do, but in those areas where the forest preserves are not elected...the board members are not elected, there is some real concern.

PRESIDENT:

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

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

Senate. I rise in support of this legislation, and I would like to direct my comments now specifically to the issue that was raised by Senator Geo-Karis. There...there has been an amendment put on the bill that raises the population standard back up to the level where it presently is. There was a concern expressed early on by the Municipal League...in this bill as originally drafted. I want to emphasize the point that...and the amendment was drafted with the help of the Municipal League so that the Municipal League is now in support of this bill, and I would ask your support.

PRESIDENT:

Further discussion? Any further discussion? Senator Joyce, you wish to close?

SENATOR JEROME JOYCE:

Ask for a favorable roll call.

PRESIDENT:

The question is, shall House Bill 975 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 10, none voting Present. House Bill 975 having received the required constitutional majority is declared passed. 977, Senator Zito. On the Order of House Bills 3rd Reading is House Bill 977. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 977.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members of the Senate. House Bill 977 addresses a problem of unsolicited sample

medications being distributed by drug manufacturers. This practice is dangerous I feel because it results in large quantities of prescription drugs being handled and stored with no system or...of control or accountability. Salesmen leave large quantities of unsolicited drugs in and around doctors' offices and clinics. Under the provisions of this bill, doctors will still be allowed to receive samples for legitimate purposes but only upon their written request to the drug company. I feel that this will do a great deal to control the present problem of dangerous drugs and would appreciate a favorable...favorable consideration.

PRESIDENT:

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, a question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, are you saying that if a...if a drug salesman stops in a...in a doctor's office and wants...wants to leave some sample drugs, which I know is a common practice, that he can't do that unless the doctor fills out a formal written request that he leave those drugs?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Yes, that's correct.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, can you give any logical justification for doing that? It seems to me we're causing enough hassle for people now, this...certainly if the doctor doesn't want the drug salesman in his office, all he has to do is ask him to leave,

and it seems kind of silly to me to...to do this. On the other hand, I don't object to what you're saying as far as mailing drugs to people, I...I would go along with that but it seems to me this bill goes too far.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Well, Senator Schuneman, I appreciate your comments, we are trying to address the problem and I...I appreciate you citing that. There are several conditions and if you'd read the bill, I'm sure that you would be able to clear up those problems. We've experienced a problem and the Illinois Pharmacists Association...has experienced a problem of salesmen not only dropping them off at a...at a doctor's office or clinic but mailing them...sending them through the mail. We only want to receive...we're not prohibiting a doctor to receive any sample drugs that he or she wishes to receive, only trying to limit that to...so that salesmen and...and...and the mail services cannot drop these off without any rhyme or reason.

PRESIDENT:

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. It...it seems to me, Senator Zito, without...without incurring your wrath or the wrath of the House sponsor, who I have upon occasion in the past voted against some of his bills to hear about it many, many times afterwards, but it seems to me this is really a very special interest bill. It seems to me it's the pharmacists saying we don't want any drugs out there unless they're bought through a drugstore. Now, there are many, many times it's happened to me, I'm sure it's happened to everybody in this Chamber, when you go to see a doctor and the doctor says, yes, here's a new drug that...that...that pharmacy salesmen drop...has

left here, and they have some sort of a book, I've forgotten what it's called, I'm sure Senator Watson could explain it to us, but there is a...there is a book that gives them the latest new drugs and how they're...what they're used for and how they're used and so forth, and the doctor says, here's something I think will...will help your condition. Maybe it's something that's very minor or temporary sort of thing, and he says, here, use this, that way you don't have to go to a drugstore and...and buy some drugs. It seems to me this is an attempt by the pharmacists to say, we don't like that competition, and I just think it's a very bad idea. I don't object to your trying to keep them from receiving in the mail, but this is the way that the pharmaceutical companies get their products on the market, and I'm...I'm going to stand opposed to your bill.

PRESIDENT:

Further discussion?...you'll get an opportunity to close.
Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Whether or not Senator...Buzbee's statement is true or not as to the intent of this legislation, in the final analysis, it does have the net effect. Now let me tell you something, that in many of the clinics in my part of the district saves an awful lot of money for awful lot of poor people who cannot afford to take those prescriptions to the drugstore. They give them this medicine. I had the opportunity to take my grandbaby...running late, he was running a high fever, to the doctor myself because his...his...his parent was at work. I did not have time to go to another pharmacists. There were medication right there, good medicine that they gave me to bring that baby's fever down and they indicated...I asked the doctor about that, that there are many times that they accept that medication because there's some people really cannot

afford to pay for prescriptions, and to...to eliminate it is...is just ridiculous.

PRESIDENT:

Further discussion? Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. There's a law now that prohibits prescription medicine from being mailed to anybody other than a licensed physician. That law is clearly on the books. This bill would prohibit doctors from getting sample medication, that they do sometimes at their discretion distribute to patients as a trial base, not to fill a prescription or not to prevent the pharmacist from getting rich. They're going to do that anyway. Now, since we have the law where it can only be mailed to a physician, or in the event of salesmen goes into a doctor's office to leave a sample of a medication that's already approved by the Food and Drug Administration, why prevent that salesman from using his ingenuity and his material to further his cause as a salesman for a pharmaceutical company. It...very frankly, it's not going to prevent the pharmacists from filling a prescription because only the doctor can order the prescription. He doesn't have a supply to supply all of his patients. So, consequently, the...the pharmacies will get their share of the business like they're getting now. Now this crap about children getting a...a hold of this kind of...of medication is erroneous. No child goes into a doctor's office and picks up no...no medicine, that's...that's a...bunch of crap. The doctors are responsible for it. I think we ought to leave it as it is. I think this bill should be defeated because it is absolutely special interest legislation, and doctors that I have heard from are totally opposed to this bill, and it should be killed.

PRESIDENT:

Further discussion? Senator Lemke.

SENATOR LEMKE:

Senator Zito, I'd like to ask a question.

END OF REEL

REEL #8

PRESIDENT:

Indicates he'll yield, Senator Lemke.

SENATOR LEMKE:

This bill...does this cut...down on the incidents of theft on these uncontrolled...and uncontrolled...dispensing of it...because of the...I understand that these salesmen keep large quantities in unsecured area. Would this cut down on that?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Senator, that's our intent. My sister has worked for a good number of years as a nurse. There are many, many sample prescription, sample drugs, that she has at her disposal or any other nurse might not be a licensed...a doctor...that she brings home, she can bring home, there's access to all these things. We're trying to do...if doctors don't use them they either store them or throw them in the garbage. We're trying to eliminate that and limit the drugs that a doctor can obtain from a salesman by a written request. If a...if a doctor indeed wants to try a drug that's been approved, he can request it from as many sales persons...as he would like to. We're trying to eliminate the unsolicited drugs that come in great numbers to doctors' offices and clinics and anybody in that...that office, from secretaries to nurses to patients have access to those drugs.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I think this is a good bill. I rise in favor of it. This is going to stop down the traffic of...of...of uncon-

trolled substances that are...being passed out in our school yards to our kids by these thefts from these various automobiles and salesmen. And I think this is a good bill and I don't think this is a special interest bill, but I think it's a way to get these pill pushers out of the school yards and in jail or completely eliminate them. I ask for an Aye vote on this bill.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I, too, was concerned when I first heard this bill read that it might somehow...inhibit doctors who want to hand out samples to their patients; however, you really do have to take a look at the bill. It says that you cannot prohibit the distribution of a prescription drug to a medical practitioner in response to a request signed by the practitioner which designates the quantity to be distributed. So all the doctor is going to have to do is sign a piece of paper and he can have those samples. I have great faith in the ability of the doctor and the pharmaceutical distributor to work out these kind of arrangements. All this really does is require a minimal effort on the part of the doctor to sign this request, he can have his samples. What it does is prevent the dumping of samples, which is expensive for somebody, the more samples that are produced and dumped and not used is just an extra added cost to the consumer somewhere on down the line. I think this is a good bill. I think it's a consumer bill and it's not a bill that's going to affect patients anywhere.

PRESIDENT:

Further discussion? Senator Egan.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate.

Despite the accusation of special interest legislation, let's...I think really that this bill has a great deal of merit. Let's consider the fact that doctors are...an agent for the manufacturer of prescription drugs. And they give out these prescription drugs, I think, without a prescription and perhaps without enough forethought and that makes us guinea pigs for the manufacturers. And I...I see a lot of merit in the bill, Senator Zito. If you go to a doctor and he says, here use this sample, if that doesn't work we'll give you another sample, that makes me a guinea pig. And I think there's a great deal of merit. I...I vote Aye.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. I'd like to echo the...the feelings and thoughts of Senator Kustra a minute ago and when...in trying to address Senator Buzbee's concern about the fact that the...the medication will not be available, it simply...the doctor has to sign for it, there's no real problem; I don't...I don't see a problem with it at all. Also Senator Lemke and...and Zito mentioned the fact of control. I think that's basically what we're after here is some sort of a control, it's not special interest legislation at all. We're trying to establish some sort of a control over the medication that goes into these doctors' office. The...the Pharmacist Association, as some people have asked me, they are in favor of this and I would appreciate your...your support; and I...and I also notice in the analysis here, there is no registered opposition. And I understand the bill was amended in the House to take away some of the opposition of the Illinois Medical Society, so I see no problem with the legislation, would urge its adoption.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. I have just one question to address to the sponsor for clarification.

PRESIDENT:

Sponsor indicates he'll yield, Senator.

SENATOR NETSCH:

Senator...Senator Zito, there are no controlled substances that can be dispensed by samples to the doctors in any event, isn't that correct?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Yes, that's correct.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Just...just to clarify that point because the suggestion was made at one point that we might be preventing the theft of the kinds of drugs that people should not be getting access to, that is simply not an issue in this bill at all because they are not going to be getting that kind of drug by sample anyway. Okay.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I happen to personally know that many times these samples, if that's what you're applying to, Senator Zito...is that what you're applying to, the samples? And especially people...and Senator Watson, you'll know as a pharmacist that many of these people that suffer from high blood pressure that there are a lot of times that you might be on one drug and you become immune or something to that drug or it becomes...it's not effective. I don't know that the whole-

sale they putting these things out and especially in neighborhoods where people do not have, especially with the cutbacks today and everything, there's many people that wouldn't have any medication. I don't know, what...what is the purpose of it? Are you trying to say that there's too many of them issued out, is that the reason? Are the...is the drug firms complaining about it, or what? If I was off the Floor, I'm sorry, but I just want to ask that question.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Well, Senator...Senator Hall, the purpose, I...I think we're all...we've all gone astray from the original intent of the bill and let me try to clarify that now. We are not prohibiting in any way, shape or form a doctor's request from obtaining sample drugs. If your doctor, for high blood pressure, for example, feels that you should try a sample drug, you can still obtain that drug by your doctor simply requesting that drug from the sales person or that particular drug manufacturer. What we're asking for in the legislation is that unsolicited, unsolicited, sample drugs not be haphazardly dropped off at clinics and doctors' offices without the expressed written consent of the doctor who would like to try the drug. The samples will still be available but we're trying to control the sampling by having a licensed physician and doctor ask for that sample.

PRESIDENT:

Further discussion? Senator Coffey.

SENATOR COFFEY:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Coffey.

SENATOR COFFEY:

What if...if...the pharmacist, does he receive those

sample drugs and will he continue to receive those sample drugs without the same...

PRESIDENT:

Senator...Senator Zito.

SENATOR ZITO:

I really don't know the answer to Senator Coffey's, maybe I can defer and...and ask Senator Watson...Doctor Watson answer.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

Well, it seems that...that we, for some reason, don't trust the medical profession but we seem to trust the people running the drug stores. I...I don't understand what the difference. I mean, we're talking about dumping grounds for...for sample medicine, the same thing could happen in dumping those same samples at some drugstore. You know and if we don't trust the doctors, maybe we shouldn't trust the drugstores.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

I understand your intent of the question. I'm not so sure though that a pharmacist can give out a sample drug. I'm not so sure that a pharmacist can do that.

PRESIDENT:

...pharmacist isn't either. Senator Coffey.

SENATOR COFFEY:

Well, you know, I...I think it's something we should know. I mean, evidently, you know, the sample drugs as I understand goes to the doctor for his consideration to buy and store at his availability and I would think the same thing would be true for drug stores. They'd take them in, say we'd like for you to try these samples and therefore they

stock that item.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I just want to bring one other thought to the Body, if I may. And that's the number of doctors who really give these sample drugs to a number of senior citizens who are their patients and say that they try to relieve their costs in that way to the senior citizens that are being treated by their family doctors. I know this is true in the area that I come from, and I know that as far as the number of sample drugs that are given to the senior citizens they do well appreciate it; and I believe this bill would prevent that, and for that reason alone, this bill should be defeated.

PRESIDENT:

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

SENATOR ZITO:

Well, thank you, Mr. President and members of the Senate. Again, I think we've gone way astray from what the original intent of the legislation was. I did receive an answer, Senator Coffey, from the Republican staff that indicates to me, if you're paying attention, that the prescription drug manufacturer is the only person affected, therefore...wouldn't have any...I guess any affect on the pharmacist, in answer to your question. We're not...to Senator Lechowicz and all the other people, Senator Collins, that indicated a concern about seniors, about people that are in lower financial echelons to continue to receive these samples, they certainly can continue to receive sample drugs. We're asking for some controls. I've had personal experiences with this whereby sample drugs were available because a doctor didn't request them. And doctors in clinics when they

don't...request, sample drugs end up in the garbage or end up going to anybody that works in that office. What we're saying is yes, the seniors can continue to get the sample drugs, the people on lower economic levels can continue to get the sample drugs but only specifically at the request of the doctor. There was some information passed by my good seatmate, Senator Chew, that said the Medical Society is opposed to this; they don't have a position on this, Senator Chew. I think it's a good piece of legislation. It's going to allow sample drugs to come under some kind of control by people who are licensed in this State to administer drugs and that's doctors. If the doctors want to try a sample drug, they can do so. I think we're allowing for that. The seniors are going to be helped, everybody is going to be helped. We're just taking the garbage that nobody wants off the streets, and I would ask for a favorable vote.

PRESIDENT:

The question is, shall House Bill 977 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28...the sponsor requests that further consideration of House Bill 977 be postponed. It's so ordered. If I can have the attention of the membership, please. We will begin tomorrow morning at 9:30 a. m. We will begin on the Order of 2nd Reading, and we will begin with House Bill 606. There is a great deal of interest both on the Floor and elsewhere about that bill, and if Senator Netsch is prepared, we will begin right there at nine-thirty. We will then commence with the balance of the 2nd reading bills tomorrow, then we will handle the recalls. I understand there are a list of recalls. If any other member has a bill they wish to recall, I wish you would please try to get it to the Secretary this evening or first thing in the morning so the proper list can

be prepared. We will also tomorrow have on the Calendar an Agreed Bill List in which we will ask everyone to take a look at...and you'll have adequate time to peruse the list and make whatever judgments you wish to. We will announce, I...I presume that list will probably be called for passage on Saturday. So, nine-thirty tomorrow morning, we'll begin with House Bill 606. So all of you who have worked on the subcommittee and others, I hope you will be in...I hope everybody will be in attendance at nine-thirty. Any further business, further announcements? Senator Rigney.

SENATOR RIGNEY:

Mr. President, I'm the sponsor of House Bill 716. I would like to show now...or like to relinquish that to Senator DeAngelis.

PRESIDENT:

House Bill 716. Where is it, sir?

SENATOR RIGNEY:

It's on 2nd reading.

PRESIDENT:

On the Order of 2nd Reading...Mr. Secretary, House Bill 716, on the Order of 2nd Reading. Senator Rigney wishes to be replaced as the chief sponsor with Senator DeAngelis. Senator Buzbee, for what purpose do you arise?

SENATOR BUZBEE:

For the purpose of an announcement, Mr. President. For those members who are members of the Appropriations I or Appropriations II Committees, or for the staff of those...two committees, we just want to remind you that our Appropriation meeting is still scheduled for this evening at seven o'clock, but it's on the lawn of the...the director's lawn of the Department of Agriculture. And we will be there at seven to discuss any possible changes in the appropriations that might be coming about. We just want to tell you because the meeting place has been changed from the Yacht Club to the lawn

of...of the Department of Agriculture...the director of the Department of Agriculture at the fairgrounds. So, make sure you get that straight because I'm sure you'll want to vote on the new appropriations that we have in store, given the tax increase.

PRESIDENT:

Further announcements? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of this Body. I merely want a point of personal privilege. Our Parliamentarian, Mr. Frank McNeil, is the father of a newborn and I wanted to announce this; however...however...the baby was...Coffey is his name, it was prematured and I certainly know that you join me in wishing for him and his wife a very early recovery for that baby who is going to be developing well. And so let us wish him the very best of luck.

PRESIDENT:

Amen. Further business? Any further announcements? If not, Senator Vadalabene moves that the Senate stand adjourned until Thursday, June 23rd, at 9:30 a. m., 9:30 a. m. Senator Nedza and others, be in your seat at nine-thirty, yes, thank you.