

83RD GENERAL ASSEMBLY

REGULAR SESSION

JUNE 22, 1984

PRESIDENT:

The Senate will come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this morning by Babbi Israil Zoberman, Temple B'rith Shalom, Springfield, Illinois. Rabbi.

RABBI ZOBERMAN:

(Prayer given by Rabbi Zoberman)

PRESIDENT:

Thank you, Rabbi. Reading of the Journal. Senator Johns.

SENATOR JOHNS:

Mr. President, I move that reading and approval of the Journals of Wednesday, June the 13th; Thursday, June the 14th; Monday, June the 18th; Tuesday, June the 19th;...Wednesday, June the 20th and Thursday, June the 21st, in the year 1984, be postponed pending arrival of the printed Journal.

PRESIDENT:

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

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to concur with the Senate in the adoption of their amendment to bills with the following title:

House Bill 243 with Senate Amendment No. 1.

House Bill 239...or 2339 with...with Senate Amendment No. 1.

House Bill 2454 with Senate Amendment No. 1.

House Bill 2570 with Senate Amendments 1 and 2.

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

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

Senate Bill 1179 together with House Amendments 1, 3 and 4.

And I have like Messages on the following Senate bills:

Senate Bill 1481 with House Amendment 1.

Senate Bill 1879 with House Amendment 1.

Senate Bill 1887 with House Amendment 1.

And Senate Bill 1939 with House Amendments 1 and 2.

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

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

House Joint Resolution 166 and House Joint Resolution 167, both congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

And House Joint Resolutions 124 and 138.

PRESIDENT:

Executive. Senator Johns, for what purpose do you arise?

SENATOR JOHNS:

Mr. President, what I'm going to speak about is sort of off the record, but it's on a point of personal privilege.

PRESIDENT:

State your point.

SENATOR JOHNS:

But in this morning's paper, the Sun-Times, there's a picture of one of our Senators...two of them, and I think it's degrading, Mr. President, and I don't like the way the photographers are taking the privilege of taking us in...in very awkward and...and untoward positions and then putting

them on the front page of papers. I think the public would not...would not see us in the best of light in that kind of conditions, and I would like for us to take some measures to prohibit that kind of action in the future.

PRESIDENT:

Point is well-taken. While we're waiting, can I ask the membership to take a look at House bills 1st reading and ask that if the House sponsors have contacted, please indicate to the Secretary your willingness to pick those bills up. They'll be then read a first time and referred to the Rules Committee. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As long as we're in kind of a little lull here, I'd like the record to reflect that Senator Mahar is still in the hospital convalescing. I talked to him this morning, he's feeling very, very good and, hopefully, he'll be out of the hospital the first part of next week.

PRESIDENT:

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

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. On the 19th, when House Bill 2296 passed, I apparently was off the Floor and am not recorded and I wonder if...if I could be reflected as supporting that or Aye or however this marvel works. Okay?

PRESIDENT:

The record will so indicate.

SENATOR BLOOM:

Thank you.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 695 offered by Senator Bruce and all Senators, and it's congratulatory.

PRESIDENT:

Consent Calendar. All right, as I'm sure everyone...aware, Monday is the deadline for...consideration of House bills on 3rd reading. So, we will today move through the Calendar, House bills 2nd reading and then go to the Order of Recalls, and it is still our intent to conclude our business at approximately two-thirty to afford everybody an opportunity to get home. Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

On a point of personal privilege, Mr. President.

PRESIDENT:

State your point, sir.

SENATOR ETHEREDGE:

Seated in the President's Gallery, behind you, is...are two friends of mine from back home, Helen and Warren Nottingham, who are visiting Springfield today. I'd like for them to stand and be recognized.

PRESIDENT:

Will our guests please stand and be recognized. Welcome to Springfield. All right, on the Order...with leave of the Body, we'll move to page 10 on the Calendar on the Order of House Bills 2nd Reading. We'll go House 2nd and then recalls. 1658, Senator Marovitz. 2355, Senator Eloom. Bottom of page 10, on the Order of House Bills 2nd Reading is House Bill 2355. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2355.

{Secretary reads title of bill}

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Bloom.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. As you know, in committee I represented that I would hold this on 2nd reading until we could work out an amendment that was agreeable to Senator Marovitz and to the Department of Nuclear Safety, in the meantime, addressing the concerns of the issues raised by the bill itself. This bill...this amendment represents that agreement. It defines accreditation which had become somewhat controversial, gives the Department of Nuclear Safety the authority to do by regulation what they were doing without statutory authority, makes more precise the grandfathering languages...language, authorizes the department to renew accreditation and authorizes them to do lesser degrees of accreditation including renewal, suspension and revocation powers; prohibits the department from imposing an examination fee and expressly provides that the advisory board is indeed in...is indeed advisory. Answer any questions, but as I said, Senator Marovitz has been very helpful in working out this amendment and he was the sponsor of the original legislation, and so I guess either one of us can answer questions from the Floor.

PRESIDENT:

Any discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is the compromise language that we...Senator Bloom and I have worked on for quite sometime with JCAB and the Department of Nuclear Safety. I think it does answer everybody's questions. It does answer the grandfathering issue that we brought up when the bill was originally passed,

and those people who have been working twenty-four of the previous forty-eight months will be grandfathered in to do the kind of work that they have been doing and have earned the expertise in for the last twenty-four of the...of the forty-eight...months previous to the passage of the legislation. So, they are grandfathered in. This does answer that concern. They can continue to do what they have learned and what their expertise is without any additional testing or educational requirements.

PRESIDENT:

All right, any further discussion? If not, Senator Bloom has moved the adoption of Amendment No. 1 House Bill 2355. If there's no discussion, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Becker.

PRESIDENT:

Senator Becker.

SENATOR BECKER:

Thank you, Mr. President and members of the Senate. Amendment No. 2 is the yellow sheet that was passed out to all of you. Amendment No. 2 says, "The department may," not "shall." "The department may issue limited accreditations to a technician, nurse or other assistant to...to administer radiation to human beings for diagnostic purposes under the supervision of a physician licensed to practice podiatric medicine when that physician attests to the competence of the assistant." What I say is, we don't want discrimination against professional people. The department is not including dentist assistants who X-ray with radiation the gums and parts of the head. We ask that podiatrists be given that same consideration. They are qualified. They are licensed by R and E. R and E is not taking a position on this amend-

ment. Your staff people...the Democratic staff person, Beth Williams, is not taking a position. The Republican staff person, Phil Lackman, sees nothing wrong with the amendment, and I ask this Body that I move for the adoption of Amendment No. 2.

PRESIDENT:

All right, Senator Becker has moved the adoption of Amendment No. 2 to House Bill 2355. Discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, I'm in support of this amendment. It's...it's permissive and I urge my colleagues to vote for it.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I rise in opposition to the amendment. When we passed this legislation, and it has just taken effect, what this amendment would do is undermine the intent of the legislation and say that a particular class of individuals do not have to have any education, do not have to have any testing and can go and deliver X-rays to humans without any education or testing whatsoever, and that puts them in a different class than anybody else that is presently in the bill, anybody else that is presently in the bill; and the reason that the legislation was passed by this Body and signed by the Governor was because there was a...a rash of cases and exposes about X-rays being administered to humans across this State by individuals who had no testing or no education or no expertise at all on machines that were not tested and oftentimes improperly calibrated, and this Body took the position that it didn't want individuals administering X-rays to humans without some testing, without some education, without some supervision and expertise in order to protect the health,

welfare and safety of the citizens of the State of Illinois. The amendment of Senator Eloom's, Amendment No. 1 that we just put on says...and, of course, it includes podiatrists, it says, that if you have been working and...and administering X-rays to humans for twenty-four of the previous forty-eight months, and you have a supervisor that will just...attest to that, you are grandfathered in, period, no new testing, no new education; but what this says is, you don't have to have any expertise, you don't have to have any knowledge, you don't have to know anything about it, and you're grandfathered in forever, and what does that say about our priorities for the health and welfare of the people of the State of Illinois, and why should one category be grandfathered in willy-nilly and others not? This undermines the intent of that legislation and I strongly oppose it.

PRESIDENT:

Further discussion? Senator Gec-Karis.

SENATOR GEC-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I think that Senator Becker said if the dentists can do this, I don't know why not the podiatrists, and I'm in favor of the amendment.

PRESIDENT:

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in strong support of this amendment. It is...I...I believe a...a distortion to say that we would...that this amendment would permit untrained, uneducated people to...to administer X-rays. That's not what we're asking at all. I think the...the amendment is simply asking for the same consideration of podiatrists which we give to...to dentists. The amendment is permissive. It says that the department may issue limited accreditation. It is a



permissive amendment. The department is not going to...to let an incompetent person...administer X-rays. I think it's a good amendment and I would ask for your support.

PRESIDENT:

Further discussion? Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. I rise in support of the amendment, Senator Becker, and in so doing would like to just reiterate the fact that this is a...a practical need. There's a practical...necessity for the amendment. It's...I think we're making much ado about nothing over the training of this type of treatment. It will not only help the podiatrist in his function, it will help save the patients a lot of money, and I strongly support the...the amendment.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. I, too, rise in support of this amendment and join the reasoning of Senator Etheredge and Senator Egan and Senator Geo-Karis and Senator Becker.

PRESIDENT:

Further discussion? Is there any further discussion? Senator Becker, you wish to close?

SENATOR BECKER:

Thank you, Mr. President...

PRESIDENT:

I beg your pardon. Pardon me, Senator Becker, I didn't see Senator Hudson's light. Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I'll keep it very brief. I, too, rise in support of this. I think it's carefully drawn. It specifies a nurse or other assistant to administer or an assistant under the supervision of a physician, and I cannot

conceivably see the possibility of any grave danger to the parent...to the patient under these conditions. I think Senator Becker has a good amendment here and it should be supported.

PRESIDENT:

All right. No further discussion, Senator Becker may close.

SENATOR BECKER:

Thank you, Mr. President. I have never nor will I ever while I remain in this Senate bring anything to this Senate Floor that is not good for the people of the State of Illinois, including our professional people. If it's good enough for the dentists, it's good enough for the podiatrists. I ask for a roll call vote, Mr. President, and I ask for you to vote in the affirmative. Thank you.

PRESIDENT:

The question is the adoption of Amendment No. 2 to House Bill 2355. Those in favor of the amendment will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 4 Nays, none voting Present. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2359, Senator Buzbee. On the Order of House Bills 2nd Reading, top of page 11, is House Bill 2359. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2359.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Buzbee on Committee Amendment No. 1.

SENATOR BUZBEE:

Thank you, Mr. President. This amendment addresses a...an enrolling and engrossing error in last year's Forestry Development Act. What happened in the enrolling and engrossing, the word "or," o-r, was left out, and so, therefore, a court has ruled against the Illinois Department of Conservation and their ability to enforce the Act because the word "or" was left out, and so,...yes, the judge is probably one of my favorite hate objects this Session. Any judge that's stupid enough that...that couldn't see that there was an obvious "or" left out...but that's alright, we're going to straighten it out for him, and I'd appreciate a favorable roll or a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1 to House Bill 2359. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2368. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2368.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

HB 2513  
2nd reading

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2513, Senator Etheredge. Senator Etheredge on the Floor? Sales ratios. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2513.

{Secretary reads title of bill}

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator...Barkhausen.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Barkhausen, you have Amendment No. 1? May we have some order, please.

SENATOR BARKHAUSEN:

Mr. President and...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Barkhausen, would you wait just a moment. Senator Etheredge, you've also filed an amendment. Did...will these track if...okay. Senator Barkhausen, proceed with Amendment No. 1.

SENATOR BARKHAUSEN:

...Mr. President and members, Amendment No. 1 to House Bill 2513 is a product of a bill that came over from the House that had a hearing in the Senate Revenue Committee and was...was kept in committee with the idea that...that a small part of it would be grafted onto another revenue related bill, and this is it. A number of us have had problems in our districts where large taxpayers have come in for assessment reductions, and having succeeded, it's had a dramatic

effect on the local taxing bodies, and the problem has been in many cases that the taxing bodies have not had any notice of the claims for assessment reductions. So, this is a...a simple bill that would require that notice be given to taxing bodies where large taxpayers are making a claim for a...an assessment reduction of greater than one hundred thousand dollars. This notice requirement would apply both in cases of hearings before boards of review and also in cases of hearings before the property tax appeals board if the decision of the board of review is appealed to the FTAB. I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Discussion?  
Senator Netsch.

SENATOR NETSCH:

Thank you. A question to the...sponsor. An earlier version of the...the proposed amendment had two provisions, one dealing with notice and one dealing with the right to participate in the proceeding as an interested party. Do I understand correctly that this amendment deals only with the question of notice and has eliminated the right of participation in the proceeding?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, that's correct, Senator Netsch.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

Yes, thank you. In that vein then, I would support the amendment. I think all of us agree that the change in assessed valuations of major pieces of property at major levels of assessment is a matter of considerable interest to the taxing bodies and it certainly should not sneak up on

them without any notice. So,...but I think most of us fully accepted the thought that notice should be given, and so long as the amendment is confined to that, I think it's a very good idea.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield.

SENATOR DeANGELIS:

Does this include the County of Cook also?

PRESIDING OFFICER: (SENATOR BRUCE)

The...the amendment is being offered by Senator Barkhausen. Senator Barkhausen, can you answer Senator DeAngelis' question?

SENATOR BARKHAUSEN:

I...I think the answer is, no, Senator DeAngelis, because it only refers to boards of review and property tax appeal board and...and not the board of appeals, I believe it's called in Cook County.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I just wish that the...the Chicago delegation would recognize that some of these things could be equally as well in Cook County as they are downstate.

PRESIDING OFFICER: (SENATOR BRUCE)

All right,...further discussion? Senator Netsch.

SENATOR NETSCH:

Well, just to comment on that. It's not our amendment, Senator DeAngelis, it's Senator Barkhausen's amendment; and to the best of my knowledge, I would have no objection to it including...I did...I don't have a copy of this version of it

and I was not aware that it did not cover Cook County. I don't see why notice is not appropriate there either, but I didn't write the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

Amendment No. 2, by Senator Etheredge.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge is recognized.

SENATOR ETHEREDGE:

Yes, Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 2 is a brief amendment which contains clarifying language in regard to the property taxation of homes for the elderly which the amendment says the homes for the...elderly when such property is actually and exclusively used for such charitable and beneficent purposes and not leased or otherwise used with a view to profit shall be eligible for a property tax exemption. I would move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senator Harovitz was off the Floor getting...Senator Rock, for what purpose do you arise?

SENATOR ROCK:

I was going to suggest, Mr. President, that we might, as we go through 2nd reading, also do the committee amendments on

HB 1658  
2nd Reading

the appropriation bills with the understanding that they can and if the members desire will be called back next week, but I think in terms of our clerical help, it would help to process.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. So, we will be proceeding if you have a...an appropriation bill, we will take those in order today as we go through 2nd readings. Senator Marovitz was off the Floor picking up an amendment when his bill was called. With leave of the Body, we will return to 1658. Is there leave? Leave is granted. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1658.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz on Amendment No. 1.

SENATOR MAROVITZ:

Thank you, very much...thank you, very much, Mr. President and members of the Senate. Amendment No. 1 which was adopted in committee adds twenty-five dollars to the personal needs allowance from SSI for nursing home residents. This allowance has not been increased for quite a number of years and there is an attempt right now in Congress to increase that. I believe that...now that Senator Schaffer is on the Floor, he understands that there is some...has been some agreement on this. We will be, by this amendment, increasing the personal needs allowance from twenty-five to fifty dollars for nursing home residents.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1 to House Bill 1658. Discussion of the motion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted.



Further amendments? Senator Schaffer, did you have a question on that one? No. All right. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2546, Senator Eock. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2546.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers five amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Euzbee on Amendment No. 1.

SENATOR EUZBEE:

Thank you, Mr. President. Amendment No. 1 adds the following: twenty-one million eighty-eight thousand dollars for the Downstate Teachers Retirement System and five million nine hundred sixty-seven thousand for the Chicago system over the House level to fund retirement at 66.7 percent, seven million eight hundred thirty-two thousand for special education personnel over the House level and reduces special ed. extraordinary by two million five hundred twenty thousand and special ed. orphanage by five million three hundred twelve thousand for a...a wash...a net wash on that particular line. It...it adds two million dollars for adult education programs, a million for adult ed. public assistance and a million for State adult ed. It adds a million for computer consortia to allow all programs operating during 1983-84 to

continue service during '84-'85. It's a hundred and fifty thousand dollars for the establishment of the principalship academy and seventy-five thousand dollars for the math-science teachers' scholarships. House Bill 3090 transferred this program from DCCA to SBE and it adds a million dollars for the Truants Alternative Program. The House funded this program at six hundred thousand, this amendment would bring it up to the SBE's proposed level of a million six hundred thousand. I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Senator Buzbee on Amendment No. 2.

SENATOR EUZBEE:

Thank you, Mr. President. This amendment reduces Federal operations by eighty-two thousand two hundred dollars. This amount was requested by SBE, and I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Amendment No. 3, Senator Buzbee.

SENATOR EUZBEE:

Amendment No. 3 adds ten thousand dollars GBF for the purpose of conducting seminars to promote high school student involvement in government, and I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Amendment No. 4, Senator Buzbee.

SENATOR EUZBEE:

Amendment No. 4 eliminates two hundred and fifty thousand dollars for something called the youth employment projects, and I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Amendment No. 5, Senator Buzbee.

SENATOR BUZBEE:

Amendment No. 5 provides for a grant for a transitional program for high school youth in preparation for college, a seventy-five thousand dollar addition. I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Are there Floor amendments, Mr. Secretary?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Buzbee, for what purpose do you arise?

SENATOR BUZBEE:

Yes, well, as Senator Rock just said, on the appropriation bills, if you would not offer Floor amendments today, they will be available for Monday of next week; but if we would withhold any Floor amendments for today, why, we'd appreciate it.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. No further amendments. 3rd reading. House Bill 2547, Senator Buzbee. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2547.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fuzbee.

SENATOR EUZEEE:

Thank you, Mr. President. This is a net addition of eighty-five million eight hundred eighty-nine thousand four hundred dollars. It increases general State aid by eighty-five million eight hundred eighty-nine thousand over the House level. It's seventy-five million over the Gov's FY '80...pardon me, over the Governor's five percent per pupil increase of one billion four hundred sixty-seven million. It's a hundred and five million over FY '84 appropriations of one billion four hundred thirty-seven million. This is less than the level recommended by the State Board of Education but it is considerably above the level that was recommended by the Governor and considerably above what the House did. This amendment puts the bill in exactly the same shape that Senate Bill 1611 is in...or was in that we passed out of this Body and sent to the House a couple or three weeks ago, and it...there it met an ignominious defeat at the hands of the House Democratic Chairman of the Appropriations II Committee, so we're going to give him another opportunity with this. This is June the...what...22nd, there's a lot of time left, a lot of negotiating room left, and we just want to get this over there and start doing some serious negotiating, so I'd move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

HB 2566  
2nd Reading

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2566, Senator Savickas. Senator Savickas on...read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2566.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Zito.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Zito is recognized on an amendment.

SENATOR ZITO:

Thank you, Mr. President and members. Amendment No. 1 to House Bill 2566 is an agreed to amendment by all concerned parties. It's a clarifying amendment that would clearly state the intent of the...of House Bill 2566 as to who it applies to, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Discussion?  
Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr. President, would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicate he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Will...will you tell us what your amendment does?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Zito.

SENATOR ZITO:

Senator Geo-Karis, and...and for the benefit for the rest of the members, the...House Bill 2566 deals with plumbers being able to...making it mandatory that they repair or maintain water meters and water lines in municipalities. My amendment clearly states that where municipalities already have a water department manned by full-time employees of that municipality, that they can continue to do that work and not necessarily be a licensed plumber.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2526, Senator Bloom. Is Senator Bloom on the Floor? This is an appropriation, Senator, Department of Children and Family Services. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2626.

{Secretary reads title of bill}

2nd reading of the bill. The Committee on Appropriations II offers two amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Euzbee.

SENATOR EUZBEE:

Thank you, Mr. President. This is a reduction of three hundred and fifty-three thousand dollars implementing the Senate guidelines, and I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Amendment No. 2, Senator Euzbee.

SENATOR EUZBEE:

Thank you, Mr. President. This is in an addition of six hundred and sixty-four thousand five hundred dollars. The amendment increases the Operational line for Adoption Listing Services up to three hundred and seventy-six thousand for a total increase of eighty-five thousand. Counseling Services are increased by two hundred and six thousand, Homemaker Services a hundred and seventy-three thousand, Services to Unwed Mothers, one hundred thousand; Reimbursement to Counties, one hundred thousand; Counseling and Homemaker lines are increased to provide for a five percent cost of living increase, the same as provided for other Grant and Aid lines, and the Services to Unmarried Mothers line and the County Reimbursement lines are increased to partially offset reductions in these lines over the past three years, and I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2637, Senator Kustra. Senator Kustra. Department of Rehab. Services appropriation. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2637.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Euzbee.

SENATOR EUZBEE:

Thank you, Mr. President. This is a reduction of eight hundred and eleven thousand dollars; decreases Personal Services and Fringe requests by five hundred and eighty-two thousand dollars to provide a five percent merit comp. increase and a 4.25 percent to COLA. Establishes the Senate guidelines as far as PIF and...and Commodities is concerned. It decreases Equipment by seven thousand eight hundred and Travel by thirty-three thousand nine hundred, and I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2641, Senator Schaffer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2641.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers twelve amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee on Amendment No. 1.

SENATOR BUZZEE:

Twelve amendments. The first amendment is an addition of three million two hundred ninety-one thousand dollars to fold in the Guardianship and Advocacy Commission to the Department of Public Health's budget request due to the fact that the...Guardianship and...Advocacy Commission bill died in the House of Representatives, so this is simply funding them with this amendment, and I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)



Motion is to adopt Amendment No. 1. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is...is adopted. Amendment No. 2, Senator Euzbee.

SENATOR EUZBEE:

Thank you. This is a reduction of two hundred and sixty thousand five hundred dollars to implement the Senate guidelines on the Department of Public Health. I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Amendment No. 3, Senator Euzbee.

SENATOR EUZBEE:

Amendment No. 3 is a reduction of one million dollars. It cuts the agency's request for medical scholarships. Senate Bill 1590 which is the OCE for the Board of Higher Ed. as passed the Senate...included an identical appropriation for Department of Public Health, and I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 3. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Amendment No. 4, Senator Euzbee.

SENATOR EUZBEE:

This is an addition of one hundred forty-four thousand dollars for administration of the asbestos abatement which would be created pursuant to Senate Bill 1644. Nine new positions are added, and I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Amendment No. 5, Senator Euzbee.

SENATOR EUZBEE:

Amendment No. 5 is an addition of two hundred and eighty

thousand dollars to double the nurses loan program. Due to the fact that the money for the nurses loan program in FY '84 was not spent, we are going to give the department the opportunity to double up for FY '85 and give nurses scholarships to one hundred and twenty-four as opposed to the sixty-two, and I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Amendment No. 6, Senator Euzbee.

SENATOR EUZBEE:

Amendment No. 6 is an addition of forty thousand dollars. It would increase grants to local health departments for vision and hearing screening programs by thirty thousand dollars. It grants to other public and private agencies for the same purpose, would increase by ten thousand, and I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 6. Those in favor say Aye. Opposed Nay. The Ayes have it. No. 6 is adopted. Amendment No. 7, Senator Euzbee.

SENATOR EUZBEE:

Thank you. This amendment adds a million seven hundred forty-eight thousand six hundred dollars for implementation of Senate Bill 1939, the Illinois Health and Hazardous Substance Registry Act. It's the department's estimate of the fiscal impact of this bill, thirty-five new positions are budgeted at nine months, and I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 7 is adopted. Amendment No. 8...may we have some order, please. Amendment No. 8, Senator Euzbee.

SENATOR EUZBEE:

Thank you. I...I don't need any order for this, Mr. President, thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, be...be as noisy as you wish then.

SENATOR EUZBEE:

This amendment is...an addition of forty-five thousand dollars it...for a study of the health problems resulting from the hazardous waste site in Greenup, Illinois. The site has been identified by the U.S. EPA as one of the top priorities for receipt of Federal Super Funds, and I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 8 is adopted. Amendment No. 9, Senator Euzbee.

SENATOR EUZBEE:

See, you shouldn't have told them to be quiet right...for that...right before that amendment. Amendment No. 9 is an addition of sixty-six thousand four hundred dollars adding five positions for environmental health sanitarian two's. They're budgeted for eight months at midrange. This amendment is supported by the Illinois Environmental Council, and I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 9 is adopted. Amendment No. 10, Senator Euzbee.

SENATOR EUZBEE:

Amendment No. 10 is a reduction of eighty-one thousand dollars to implement the Senate guidelines in the Guardianship and Advocacy Commission. I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt. Those in favor say Aye. Oppose Nay. The Ayes have it. Amendment No. 10 is adopted. Amendment

No. 11, Senator Euzbee.

SENATOR BUZEE:

This is in an addition of fifty-seven thousand dollars. It adds twelve thousand dollars GBF for office remodeling in the Stratton Office Building and forty-five thousand for a consulting contract on DMHDD facility closures. We have BOB approval on it, and I would move its adoption.

PRESIDING OFFICER: (SENATOR EBUCE)

Motion is to adopt Amendment No. 11. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 11 is adopted. Further amendments?

SECRETARY:

Amendment No. 12.

PRESIDING OFFICER: (SENATOR EBUCE)

...or Amendment No. 12, Senator Euzbee.

SENATOR BUZEE:

Amendment No. 12 is an addition of one million ninety-nine thousand seven hundred dollars for long-term care facility regulation, and the funding will support an increase of forty-four staff for eleven months, and I would move its adoption.

PRESIDING OFFICER: (SENATOR EBUCE)

The motion is to adopt Amendment No. 12. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 12 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR EBUCE)

3rd reading. House Bill 2643, Senator Dcnahue. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2643.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I

offers two amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee on Amendment No. 1.

SENATOR BUZZEE:

Yes, it was Appropriations II Committee, Mr. Secretary. Amendment No. 1 is a reduction of one hundred eleven thousand seven hundred dollars implementing the Senate guidelines, and it eliminates a grant in the amount of twenty-five thousand dollars to the Department of Commerce and Community Affairs, and I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZZEE:

Amendment No...2, pardon me, is changing the wording of a five hundred thousand dollar grant for the Vietnam Veterans Outreach Program to eliminate specific mention of a vendor and open the grant money up for applications from any eligible group, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Buzbee moves the adoption of Committee Amendment No. 2 to House Bill 2643. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2...Committee Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

3rd reading. House Bill 2646, Senator Sommer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2646.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

3rd reading. House Bill 2650, Senator Schaffer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2650.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers three amendments.

END OF REEL

REEL #2

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Senator Buzbee.

SENATOR EUZEEE:

Amendment No. 1 is a reduction of fifty-seven thousand nine hundred dollars implementing the Senate guidelines and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee moves the adoption of Committee Amendment No. 1 to House Bill 2650. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is...is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee.

SENATOR EUZBEE:

Amendment No. 2 is a reduction of nine hundred seventy thousand dollars, deletes a provision added in the House which transferred naval militia scholarships to the Military Naval Department from the Illinois Scholarship Commission. The enabling legislation for this request failed in the House and the funding still remains with the Illinois Scholarship Commission. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee moves the adoption of Committee Amendment No. 2 to House Bill 2650. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fuzbee.

SENATOR FUZBEE:

Amendment No. 3 is an addition of thirty-two thousand dollars. It removes two positions...pardon me, it's...it's a reduction of thirty-two thousand dollars, remove...removes two positions which were requested to administer the scholarship program; however, the program remains with the Illinois Scholarship Commission. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Fuzbee moves the adoption of Committee Amendment No. 3 to House Bill 2650. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. House Bill 2653, Senator Maitland. House Bill 2655, Senator Bloom. Senator Elcom on the Floor? Alright. House Bill 2655. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2655.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. House Bill...2657, Senator Sommer. Read



the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2657.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee.

SENATOR EUZEFEE:

Yes, thank you, Mr. President. This is an addition of one dollar just to keep the figure alive until we get the final correct figure. I would move its adaption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee moves the adoption of Committee Amendment No. 1 to House Bill 2657. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2776, Senator Lechcicz. Senator Lechowicz, 2676? Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2776.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. This is House Bill 2-7-7-6. Senator Buzbee.

7/13 2:00 H  
2nd Reading

SENATOR EUZEEE:

Yes. This is a technical amendment and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee moves the...moves the adoption of Committee Amendment No. 1 to House Bill 2776. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2789, Senator Zito. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2789.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2804, Senator Egan. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2804.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Egan and DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. The content of House...of Amendment No. 1 to House Bill 2804 completely guts the content of House Bill 2804, which in another bill now rests on the Governor's Desk. On the Calendar, on House bills 1st reading, House Bill 3108 still resides there because no one had picked it up. This amendment will do what House Bill 3108 would have done had someone had the foresight to pick it up. In fact, what it does, presently the Illinois Development Finance Authority and the Illinois Housing Development Authority have their own conflict of interest provisions within those Acts and do not...are...they're not covered by the Corrupt Practices Act. Those provisions are considerably more stringent than the Corrupt Practices Act, making it almost impossible to get the kind of people on them that they need. So, what we're asking for is to change their individual enactments to conform with the Corrupt Practices Act. That's what House Amendment No. 1 does. I'm...I move its adoption, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Senator Egan has moved the adoption of...of Amendment No. 1 to House Bill 2804. Is there any discussion? Senator Welch.

SENATOR WELCH:

Yes. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Indicates he will yield. Senator Welch.

SENATOR WELCH:

The purpose of this amendment is to relax a conflict of

interest requirement. Is that a...a statutory requirement or a requirement of the particular agency?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Egan.

SENATOR EGAN:

It's in the Statute which creates those agencies. So it is statutory.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Welch.

SENATOR WELCH:

...so you are just trying to exempt this one authority from the conflict of interest Statute. Is that right?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Egan.

SENATOR EGAN:

No. What I'm trying to do is relax the standard to the same degree as the Corrupt Practices Act. In other words, we're changing both of the Illinois Development Finance Authority and the Illinois Housing Development Authority laws which are more strict than the Corrupt Practices Act, to relax them to the degree that the Corrupt Practices Act would have them if they didn't have their own provisions.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Further discussion? Further discussion? Senator Egan moves the adoption of Amendment No. 1 to House Bill 2804. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. House Bill 2837, Senator Rock. Read the bill...read the bill, Mr. Secretary, please. 2-8-3-7.

SECRETARY:

House Bill 2837.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers three amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. House Bill 2837 was sent over by...under the sponsorship of the Speaker of the House creating the Local Government Infrastructure Assistance Program Act. Essentially, it is a bond bank to be administered by the Illinois Development Finance Authority and to provide another avenue for marketing bonds to those units of local government who are unable to do so on their own. Amendment No. 1 offered and adopted in the committee stipulates that the eligibility of a local government to utilize this program is conditioned upon its failure to sell its own bonds to a qualified bidder. It further stipulates that the...under the authority's powers that it can only purchase itself local government bonds after the local government meets the conditions of the sale of its own bonds. It establishes the standard governmental interest language and it lowers from two hundred and fifty million, as it came from the House, to fifty million, the aggregate principal amount of the bonds. I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Rock has moved the adoption of Amendment No. 1 to House Bill 2837. Is there any discussion? Senator Kustra.

SENATOR KUSTBA:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Kustra.

SENATOR KUSTBA:

As you know, Senator Rock, I'm a hyphenated cosponsor of

this legislation and I support it. I just had a question. You say that the...the local government must show that they failed to sell the bonds on their own. Isn't it possible that they could sell bonds but at a higher interest rate? And I thought the purpose of this legislation was to ensure local governments a better interest rate than they could get on their own, and I...again, I'm fully in support of the bill, but I don't want to narrow the bill in...in such a way that we wind up not really helping the very municipalities who I think we started out to help.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Yes. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator Rock, as I recall, there was a bill in Executive Committee that did this same thing but the bill failed in committee. Is...are...are we...am I...am I mistaken about that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

This to my knowledge was the only bill that the Executive Committee, in fact, acted upon and I...my recollection is the vote was 9 to 8. It was pretty close but it did succeed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay. I thought from your description of the amendment that you were describing the bill itself, the bond procedure of setting up a...a bonding fund where cities which were unable to sell their bonds...their own bonds could then sell

their bonds to this new authority, and that, as I recall, was this...was the principal thrust of that bill which was of some controversy in committee. Now, why do we need the amendment? What's....what's the amendment do, then, that the bill doesn't do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock. Can we have some order, please?

SENATOR ROCK:

Well, the...the amendment was offered and adopted, frankly, in my judgment, because it was necessary to limit the eligibility of those municipalities who could, in fact, participate. My fear was...and frankly, there are still current negotiations going on with some members of the House, including the Speaker himself, as to how broad this program ought to be. My fear was that the bill as it passed and was before us would afford, for instance,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright...wait a minute. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Well, I apologize to Senator Rock, he's moving to...to approve the committee action and I thought he was offering a new amendment. I understand what has happened.

PRESIDING OFFICER: (SENATOR ROCK):

Alright. Senator Rock has moved the adoption of Committee Amendment No. 1 to House Bill 2837. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you. Committee Amendment No. 2 is again a...a further restriction. It deletes the language regarding the purchase of local government securities and replaces that broad language with the condition that the authority itself may purchase securities only after the failure of the local government to sell its securities, and I think, again, it's...it's a further...it's a fine-tuning. It's a restriction on this program as to who in fact would be able to participate, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock moves the adoption of Committee Amendment No. 2 to House Bill 2837. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Committee Amendment No. 3 is a correction of a technical error that the Reference Bureau caught. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock moves the adoption of Committee Amendment No. 3. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:



HB 3060  
2nd Reading  
HB 3057  
2nd Reading

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd...Senator...Senator Rock.

SENATOR ROCK:

I'd ask leave of the Body to also show Senator Zito as a cosponsor of this measure.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Move the bill to 3rd reading. With leave of the Body, we'll add Senator Zito as a hyphenated cosponsor. Is leave granted? Leave is granted. Mr. Secretary, page 13...top of page 13, 2878. Senator Marovitz. Senator Marovitz on the Floor? 3057, Senator Hall. Top of page 13, House bills 2nd reading is House Bill 3057. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3057.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

No Floor amendment.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. House Bill 3060, Senator Jerome Joyce. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 3060.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. House Bill 3083, Senator Etheredge. House bills 2nd reading is House Bill 3083. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3083.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIG)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Buzbee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee.

SENATOR BUZBEE:

Yes. Thank you and thank you, Senator Etheredge, for allowing me to use your bill to do something that I very desperately want to do, but I can't find my paper. Well, let me explain what it does. It allows the addition of two more bingo games in...to those...to those organizations that offer bingo. What's happened, Senator Vadalabene passed a bill last year that would allow this same thing for Madison and St. Clair Counties. All I want to do now is to allow it to happen in other counties because a lot of my little, small counties, along the river in particular, the VFW's and so forth, and the K.C. halls are having a hard time competing because as people come over from Missouri, they want to go into the counties where they have the possibility of...of winning the most...winning the most money. And so, I would like to have the counties in my legislative district to have that same competitive...competitive nest that...that the other two counties do. So that's why I have been asked by folks in Monroe County in particular to...to do this and it's just simply an addition of two more...two more games, and I would...I would appreciate a...an affirmative vote.

HB 3090  
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Buzbee has moved...moved the adoption of Amendment No. 1 to House Bill 3083. Is there any discussion? If not, the question is,...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Schuneman.

SENATOR SCHUNEMAN:

Yes. This amendment, Mr. President, is to take off some of those provisions that were put on in the House, namely the one that Representative Vinson had offered that would prevent the lottery from advertising such things that he thought might give the impression to people that they could become millionaires through buying lottery tickets rather than working and also prevention against any coin-operated machines to sell lottery tickets. Those provisions are in the bill now. This amendment simply strips them out. It's done with Representatives...Representative Vinson's approval. So I would move...move adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Senator Schuneman has moved the adoption of Amendment No. 2 to House Bill 3083. Is there any discussion? Any discussion? If not, those...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. House Bill...3090, Senator Etheredge. Read the bill, Mr. Secretary, please, 3090.

SECRETARY:

House Bill 3090.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREEDGE:

Mr. President and Ladies and Gentlemen of the Senate, this amendment sets up a mechanism by which the State Board of Education may comply with...with Statute that has to do with the replacement of general revenue or State funds with the Federal funds as they are received. This is submitted at the request of the State Board of Education, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Etheredge has moved the adoption of Committee Amendment No. 1 to House Bill 3090. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREEDGE:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this is the math-science academy amendment. What it would do would be to establish a math-science academy to serve the top one-half of one percent of Illinois high school students in this State. It would be a residential insti-

tution to serve the entire State. It would be...it would serve high school sophomores, juniors...sophomores, juniors and seniors...but it would provide...within that three years of high school work, it would provide them four years of educational experience so that a student would enter the academy as a high school sophomore and graduate prepared to enter college as a sophomore. This bill establishes the board of trustees which would be made up of twelve...twelve voting members, six ex officio and the bill also establishes the...the powers and...and duties of this board. I'd be very happy to respond to any questions.

PRESIDING OFFICER: (SENATOR LEMUZIO)

Senator Etheredge has moved the adoption of Amendment No. 2 to House Bill 3090. Is there any discussion? Senator Darrow.

SENATOR DARRON:

Yes. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR LEMUZIO)

Indicates he will yield. Senator Darrow.

SENATOR DARRON:

Could you indicate what the appropriation would be for this academy?

PRESIDING OFFICER: (SENATOR LEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, a...an appropriation of a hundred and fifty thousand dollars has been proposed of as a...as planning money for Fiscal 1985 and this figure is included in the...Governor's budget.

PRESIDING OFFICER: (SENATOR LEMUZIO)

Senator Darrow.

SENATOR DARRON:

Once this is in operation, say two or three or four years down the road, how much will it cost the taxpayers to fund

it?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Etheredge.

SENATOR ETHEREDGE:

I would anticipate that when the institution is fully operational and an enrollment of approximately eight or nine hundred students is contemplated at that time, the operating expense would be in the neighborhood of six million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

To the amendment then, here we are starting up an academy, probably in the Aurora-Elgin area, to take care of the children who work at the nuclear laboratories there, the gifted children, and I have nothing against these gifted children having an education. But you might consider that most of their parents are making very good money. They could afford private education. They could afford private education such as this school will offer, and yet, we're taking this money from the other school children around the State of Illinois and giving it to this certain group of people for a boarding school, a fine boarding school, but one that should be...taken care of with private funds and private enterprise. I don't think that this is a course the State of Illinois...should be going. We shouldn't head down the path with this bill. We should use this money for the formula for the school kids throughout the State of Illinois. I would solicit a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in opposition to Amendment No. 2 for many of the same reasons as expressed by Senator Darrow.

There is, in fact, no appropriation in...in the bill as it sits before this Body for this purpose. And I suppose it's difficult to stand up and suggest that a...a math-science academy for excellence is a worthy thing, and it...it probably is but it sure isn't this year. We have been literally trying every method possible including a surtax on the lottery to afford to the school districts across Illinois some reasonable basis of funding, and to commit even a hundred and fifty thousand dollars to this project which over the long haul, I suggest, is going to be a heck of a lot more than a hundred and fifty thousand dollars. At this point in time, I think it's simply ill-advised, and I...I think this is one program that can and should wait.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Further discussion? Senator Grotberg.

SENATOR GROTBERG:

Well, thank you, Mr. President and fellow members. I rise in support of this amendment, more so to discuss with you remarks by a previous speaker who suggested that this was for the...children of a bunch of scientists in the Fox River Valley. The concept of this is Statewide. It is a proposed school for the...probably one-tenth of one percent of the students of the State of Illinois who will carry forth the technology and the brainchilds of Illinois for the future. I think it's a very good time to discuss it. I think it's a good time to make a statement to that effect. We've all tried to outhigh-tech. each other from one end of the State to the other, but nothing significant is going to happen to the technology of Illinois and the attraction of people to Illinois and to keep these kids in our own colleges having prepped them instead of sending them east for technical training and they never return, and then we depend upon the Yales and the Cornells and the engineering schools of the world to educate our kids. Doctor Letterman has designed, I

believe, one of the most brilliant efforts that anyone could ever do for the future of Illinois, the thing that we talk about every day here. I am not terribly concerned over the...minute price that goes along with this when I think of the end product that we are discussing in this amendment. Let us then make a statement...Senator Rock, very well may be that a hundred and fifty thousand dollars is too much, maybe none is what we're going to get. But let us put forth this policy, make a statement on it. This is what we've been telling everybody back home, there isn't anybody that didn't campaign about that subject including the previous speaker and myself and everybody in this room. The people are interested. We will never get there until our children are trained and stay in Illinois and move into our own university systems, and that is what this bill is about and it's for every school child in Illinois who can cut the mustard. It is not reserved for the hoi polloi that was just mentioned. Let's support this bill and make our statement once and for all.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. I, too, rise in support of this bill. I do believe that the previous speaker before this speaker misunderstands this bill. It is indeed for the gifted children throughout the State. If you look at the statistics you will see that twenty-five percent of our gifted children never graduate from high school because they are frankly bored. They cannot and will not stay even in high school. We've got to offer this challenge. The reason this academy is...is being placed in the Fox Valley area is because we have Argonne and we have Fermi Lab up there. Those professors have...those scientists have agreed to be the instructors in this academy on a part-time basis. They



are the best scientific brains we have in the United States. For the State of Illinois not to take advantage of this is asinine. We must indeed train our future scientists and math people, and we must train them in our State to keep them in our State if we ever expect our State to accomplish anything in the high-tech. area. I doubt very frankly that the people in...the children in the Fox Valley and the DuPage area will even attend this academy, because they can pick up this knowledge on a Saturday afternoon program, but the people that are down in your district are the ones that will benefit. These are the ones that cannot commute to...to the Fermi labs and the Argonne labs and they do not have this benefit. Please, if you care about the future of the United States and...and...and the future of our State and the future of our children, consider this as one of the most important votes that you're going to cast and vote it Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President and Ladies and Gentlemen of the...of the Senate. I, too, am disappointed with the comments made by Senator Darrow with regard to where the young students are going to...to be from. It's been very clearly pointed out by Senator Etheredge that this will be Statewide. We're talking about the very bright...the brightest students in this State. We're talking about students who in their senior year, especially the last semester are terribly bored, are terribly bored with the class work that they have remaining, if there's any classroom remaining at all. It's a terrible waste of time. It's a terrible waste of a bright mind. The same thought applies to their at least freshman year in college. We need to take these young students in their senior year and put them in this kind of a math-science academy, where like bright students can chal-

lence one another, need to keep these young people in Illinois. I have had an opportunity to talk with Doctor Letterman at length. As a matter of fact, Senator Etheredge and I spent a day up there talking about this concept. I think it has merit, what we're suggesting here as a start. One of the points I made with Doctor Letterman was the very point that was pointed out on the other side of the aisle with regard to State funds versus private funds. I'm convinced, Ladies and Gentlemen of the Senate, that if we put this concept on track and began to explore it, that those industries in this State, those businesses in this State who are concerned about young people leaving this State going elsewhere to school and subsequently to work will begin to invest in the project. Let's at least give it a chance. It's an excellent step forward, and I would urge your support of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in opposition to this amendment, not because I do not believe fully that this State need to produce some bright minds, 'cause I really feel that...if there is one shortage and that is the need for bright minds in this State, maybe we wouldn't have some of the problems that we are experiencing today. But I think it's ridiculous to talk about new money be it a hundred thousand or two hundred thousand or a million or even one thousand dollars when all of us know that many of the...the schools, the elementary and secondary schools do not have the money to open their doors come September. It is absolutely ridiculous because we say to the people of Illinois that we have no sense of priority. This is ridiculous and it should be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Senator Etheredge and I have discussed this bill on a number of occasions and conceptually I...I do think it's a fine idea, but it is a fine idea whose time has not yet arrived. We spoke about the dropout rate among gifted children and that is accurate. I think we ought to take a look at the dropout rate against those who are simply trying to make it through our schools. It is atrocious. We just told some people yesterday and...and told them day after day that we cannot fund public school education at the rate that it was intended that the State fund it, we've told them that over and over and over again; and yet, until we take care of that initial obligation, it seems to me that we simply can't talk about those things that would be good for some of our students, but don't necessarily involve all our students. I don't see this as an elitist thing entirely, I think that there are some brains on all levels in this State. The question isn't that at all. The question is, can we afford it at this time, and I think the answer is a resounding no. I have great, great difficulty in speaking out against a notion such as this. I think the notion is alright and it's proper, but it simply isn't timely, and I would call for a No vote at this time. I would hope at some point we could do this. I think the time is not now and I would ask for a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Further discussion? Senator Euzhee.

SENATOR EUZEEE:

Thank you, Mr. President. I rise very reluctantly in opposition to this, but we are funding the pension systems of this State...you know, we have been fooling ourselves for years about very proudly going around and patting ourselves on the back and say, we have a balanced budget in Illinois. We no more have a balanced budget than does the Federal

Government. As a matter of fact, if the Feds had done their accounting the same way we do our accounting, their budget would have been in balance every year up until the...through the last year of the Carter Administration, as a matter of fact; had they done the same kind of accounting that we do, they would have had a balanced budgets up through the Carter Administration. We don't have a balanced budget. Every piece of capital that we build in this State, we build on bonds. We don't pay for it right that year; we pay for it over twenty-five years or fifteen years in some cases. And now, for the third year in a row, we are continuing to finance State Government on the backs of the pension systems of this State, because we're not even funding at pay-out level. It's funny, twelve years ago when I came here, I used to have teachers banging on my head and university professors and so forth because the State was not putting in its match share like it's supposed to for their dollars. Now nobody even talks about that anymore. Now all they say is, please, State, just put in one hundred percent of payout, and we don't do that. We are funding State Government on the backs of the pension systems and through the bonding houses. Now, we have added seventy million dollars over the Governor's recommended level to fund elementary and secondary education. The Governor tells us that that amount is not available. Well, those kinds of determinations will be made over the course of the next several days in the negotiating process. But here we are wanting to start a new school which Senator Etheredge has indicated it's his understanding that it's going to take six million dollars annual operation once it gets up and going. Fine, I would favor that kind of an idea if we were funding the pension systems at one hundred percent of payout and if we were putting adequate dollars into elementary and secondary education. Don't forget, this is the eighth year of the Thompson Administration. His

predecessor's last year in office, we funded elementary and secondary education in this State at forty-nine percent. We are now at thirty-seven percent. Now that's not all the Governor's fault and I don't intend to say that it is, but the fact of the matter is that percentage-wise we have continued to go down, down, down and down so where is that money coming from to make up the difference? It's coming from the property taxpayer. And I think we ought...I think we ought to reverse that trend on elementary and secondary education before we get to the point of starting up new elitist type albeit needed schools. But let me ask this, Senator Etheredge, and this is a rhetorical question, but why just math and science? Why don't we start an academy for foreign languages, as an example? Why don't we start an academy for human relations? Why don't we start an academy for music and art? I mean, these all are things that are...would be badly needed, would be very well used and so forth, but the reason we don't is 'cause we can't afford it. And I, again, say I'm very...reluctantly rise in opposition to this...to this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. I'm...have a request from Channel 3 to...to record the proceedings. Is leave granted? Leave is granted. Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

Well, in...in order to respond to the Senator's question.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Well, you can respond to him on...in closing, if...if you like. His time has expired. Further discussion? Senator Eloom.

SENATOR ELOOM:

Thank you, Mr. President, fellow Senators. Many of those who rose in opposition to this amendment, professing great concern about our public school systems, we've seen a trend

line where the public school enrollment has declined. Now part of that is, obviously, demographics but part of that as well has been choices; choices made in many instance by blue-collar working people. As we've been lobbied the last week by various representatives of public schools, public teachers union groups, association school boards, one of the points they make when they lobby against parochial bussing is the fact that families that couldn't otherwise afford to send their kids to parochial schools will now be able to, and I think that gives to a degree the lie to the kind of performance that's coming out of public education which truly is a monopoly. And I think what ultimately gives the lie to some of the arguments of those who stand against this amendment is the experience of Marva Collins, people who sit the kids down and teach them. Why just math and science? Well, why not? You've got to start somewhere, and it seems to me that if we have this pool of talent that is willing to donate their time, that we ought to take advantage of it. And it seems that the arguments that are advanced against this amendment really fall of their own weight. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I want to stand in support of the amendment; after all, we're only talking about a hundred and fifty thousand dollars here. We put amendments on increasing the budgets of universities around this State to the tune of several million dollars in a very routine way, and we're talking about a hundred and fifty thousand dollars. One other point I want to make is simply this, we have millions...we spend millions and millions of dollars of taxpayers' money to send young people to college who can't afford to go to college...with little or no concern as to whether or not those students have any particular academic

excellence. This is a very small token amount of money to spend to try to get some research toward the idea of improving the excellence of education in Illinois and we ought to be supporting it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rigney.

SENATOR RIGNEY:

Why did you not...involve the local school district in the funding. For instance, with the handicapped, if you can't provide for them, have to send to them out of the district for some type of schooling, the dollars from the local area have to follow. Apparently, if I read Section 2 on page 3 correctly, where you say the academy shall be funded by State appropriations, private contributions and endowments, it looks to me rather clear that you are...are leaving out any contribution whatsoever from the local district. Was this a conscientious decision to do that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, Senator Rigney, in...in response to the question. You...you have reference to the...the local...the...the...the property tax that people pay to their school districts, and you're suggesting that some of that should follow the student, that...so if there were a...a student that attended the academy from Freeport, that some of that local contribution could follow as well. That is not the way it is in...the...the bill is drafted, as you have well pointed out. I don't know that...I don't see why...over the course of the next year, however, what we are asking to do is to have a

hundred and fifty thousand dollars worth of planning money that could put more flesh on...on the bones of this suggestion. I don't see why, during the course of the next year as this proposal is studied, if it is determined that that would be a...another...a better way to go about this, I'm not...I don't see why that couldn't...couldn't take place.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Further discussion? Senator Lemke.

SENATOR LEMKE:

Did I hear it right that we're going to run an academy for a hundred and fifty thousand?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Etheredge.

SENATOR ETHEREDGE:

...no, Senator. We're...we're not going to run the academy for a hundred and fifty thousand dollars. What we're asking here is the opportunity to plan for the implementation for a math and science...academy. It may be what I...I might take the opportunity to say at...at this time, that what we're talking about here is not just an academy that would provide instruction in math and science, but we're talking about an institution that would provide a broad...broadly based educational experience for these students. We're not talking about a...an educational experience that would turn out dehumanized scientific robots or something like that, there would be English and...history and the social sciences and...and philosophy, all of those other things that are necessary in order to provide a...a broad liberal arts type education. However, it's...it's a math-science academy because the students who attend will all take math and science.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Further discussion? Senator Lemke.

SENATOR LEMKE:



Well, I'm looking at this bill, and this came out of the Governor's Task Force. Now, who appoints the State Superintendent of...of Schools here? The Governor. We have the State Board of Education. It's...why should we state that it's the policy of State of Illinois to provide excelling in mathematics and science, when anybody knows it should be the policy of the State Board of Education to support those subject matters. Why isn't the Governor's appointed State Board of Education doing this? If there's a fault in this State, that fault in education rests in the Executive Mansion and rests on your side of the aisle for not supporting the State Board of Education and getting them functioning properly. That's the problem here. This is a mere coverup for things that have not been done in this State. And the State Board of...Education has that job and they have not done that job. They have not done that job. Why isn't the University of Illinois going into this? They have labs...they have a lab school at the University of Chicago. Why is there a lab school at the University of Illinois or these other great State institutions that we have? Why is it? This is a mere coverup of the Governor's failure, the Governor's people's failure, his appointments, his failure to educate the children in the State of Illinois. It's his fault and this is not a way to cover it up. The Governor has failed terribly in education, terribly.

PRESIDING OFFICER: (SENATOR DEMUZIG)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

I would like to remind the previous speaker that at least of the six years that I've been here, it has been a Democratic controlled Senate, and if perhaps the Governor has failed, maybe we're trying to correct it. I...I don't know if he's opposed to correcting what he construes to be a failure. What's wrong with that?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Further discussion? Senator Etheredge, you may close.

SENATOR ETHEREDGE:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. What is being requested here is the opportunity to plan for the implementation of a math-science academy to serve all the talented...all the most talented students from throughout the State of Illinois. This is not an institution that would serve one area of the State. It is a...it is to serve the entire State of Illinois and to plan an institution which would have a broadly based educational program. What we're doing through the planning grant would be to examine in...in detail how this institution could best be implemented, and I'm...and I would say at this point that while this idea may be new to Illinois, it is not something new under the sun. North Carolina has had an institution such as this...similar to this and it has been in operation for several years, and it has been quite successful in serving all the citizens of that state. There are other states, Louisiana is one of them that has an institution in the planning stage. There are...this...this initiative, as I say, while perhaps new to Illinois is not brand new, there are other models, one or two or three of them about, that we can look to as we plan for...for this institution. The institution would do a number of things. I think most importantly of all it would make a statement to all of Illinois and all the rest of the...of the...the United States that Illinois cares about the education of its very most talented students. As has been said, we're talking about the less than one...a fraction of one percent of the students now enrolled in the...in the public schools of this State. We're talking about less than one student per school district in this State. We're talking about bringing them together in a single institution where they can rub shoulders with one

another, and there will be great benefit that will come from that experience of just having them associate one with the other. Educational research shows that students...extraordinarily talented students of the type that we're talking about benefit greatly from associating with one another. They only begin to achieve their maximum potential when they are brought together in this kind...in this kind of an environment. This...the planning for this institution will put a spotlight on all gifted student programs, not only the very most talented ones that we're talking about, those that would attend this academy, but...but those that...slightly less gifted but still nevertheless very, very gifted that attend programs back in their home...home districts. I think this is an extraordinarily important...initiative. I think that we should be allowed to continue with the planning for this institution and I would ask for a...a roll call vote, and I would strongly encourage you to...to vote Aye on this amendment.

END OF REEL

REEL #3

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Etheredge has moved the adoption of Amendment No. 2 to House Bill 3090. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? On that question, the Ayes are 32, the Nays are...take the record. On that question, the Ayes are 33, the Nays are 19, none voting Present. Amendment No. 2 having received the required majority is declared adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Hall, for what purpose do you arise? All right. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd...3rd reading. House Bill 3102, Senator Bloom. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 3102.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Let's see...the committee amendment?

SECRETARY:

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister on Amendment No. 1.

SENATOR SANGMEISTER:

Thank you, Mr...Mr. President and members of the Senate. Amendment No. 1 would make the content of House Bill 3102 applicable to the lottery. Senate Bill...cr House Bill 3102, if my recollection is correct, was introduced by the Department of Law Enforcement to allow them to properly confiscate or certainly make illegal games that are being played throughout the State of Illinois on video machines in taverns and otherwise; for example, like the Black Jack game where you play it and then go up to the bartender and get a payoff, and they wanted to be able to obviously make that an illegal activity which it should be. And the question then becomes whether or not when the lottery does the same thing, and I understand they now have machines that they want to put out into the various taverns and establishments and...but that is supposed to be exempt. I cannot frankly see the distinction between the two, and I don't think the lottery should have any more right to...be using those kind of games as private individuals who want to. The question that you're facing on this amendment, so that you know, is how far do you want the Illinois State Lottery to go? I think we're all...enamored by the amount of money we're making from it, but I don't know what is next. The director of the lottery has a lot of ideas as to how far it should go but I think we are constantly and continually legalizing gambling through this thing, and I think it's gone far enough, let's keep the lottery where it is. And what this amendment simply does is states that the law that is applicable in this bill will be applicable to the State Lottery as well.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

Amendment No. 2 offered by Senators Bloom and Sangmeister.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom is recognized on Amendment No. 2.

SENATOR BLOOM:

All right. Thank you, Mr. President, fellow Senators. The bill as drafted had basically an evidence gathering problem and it did not provide the proper...proper protection to the owner of this property. What this amendment does is gets rid of the phrase "seized and confiscated" and substituting therefore "forfeited," so that it solves the evidence gathering problem, while at the same time leaving the protection for the owner of the equipment. Answer any questions; otherwise, seek its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill...3165, Senator Jones. Senator Jones on the Floor? Chicago Board of Education taxes. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 3165.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

HB 3204  
2nd Reading

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 3204, Senator Bloom. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 3204.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom on Amendment No. 1.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. This amendment comes at the request of the retailing industry which suggested that the...the language which prohibits false or fraudulent representations, the manner in which it was constructed could create a problem with their billing cycle. The best approach that we came up with was to eliminate the phrase, "false." So, it is quite clear that what is prohibited or fraudulent; in other words, you have the element of scienter there, billing as opposed to making a mistake. Answer any questions; otherwise, seek its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further amendments.

#B 2395  
Recalled

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. All right, with leave of the Eody, we will now go to the Order of Recalls. If I...we have distributed to your desks a list of those bills that will be recalled, and I'm going to add three additional numbers...four additional numbers. We will also consider on recalls...these are not in any...2325 with two amendments by Senators Davidson and Rock, 2622, Senator Berman has an amendment; 2853 with Coffey-Degnan...I'm sorry, each have an amendment and 2876, Senator Rock. Senator Welch, for what purpose do you arise?

SENATOR WELCH:

Thank you, Mr. President. I would ask leave to add as hyphenated cosponsors of Senate Bill 1425 Senator Sangmeister, Senator Kustra and Senator DeAngelis. I...I'm sorry, not Senator DeAngelis, Senator Gec-Karis.

PRESIDING OFFICER: (SENATOR BRUCE)

Sangmeister, Geo-Karis and Kustra. Is there leave?

SENATOR WELCH:

And...and, excuse me, and also Senator Macdonald.

PRESIDING OFFICER: (SENATOR BRUCE)

And Senator Macdonald to House Bill 1425 that they be added as...Senate Bill 1425, that they be added as cosponsors. Is there leave? Leave is granted. All right. With leave, we'll get back to 1348. 2221, Senator Degnan. All right. Senator Degnan asks leave...is Senator Coffey on the Floor? Is it your amendment, Senator, can you...Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. We have two amendments, one is mine, one is Senator Coffey's. We're waiting for Senator Coffey to bring his up. Can we ask leave to get back to it?

PRESIDING OFFICER: (SENATOR BRUCE)

All right, we'll...we'll return to that immediately. 2395, Senator Kelly asks leave of the Senate to return House



Bill 2395 to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. Are there amendments, Mr. Secretary, please?

SECRETARY:

Amendment No. 2 offered by Senators Davidson, DeAngelis and others.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kelly on Amendment No. 1.

SENATOR KELLY:

You got the wrong...the wrong bill.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Hold...hold on just a moment.

SECRETARY:

Senator Kelly on Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson on Amendment No. 2.

SENATOR WATSON:

This is the Floor amendment? Okay. Amendment No. 2 to House Bill 2395 sponsored by Senator Kelly and myself creates the Community Fire Protection Grant Program. We've discussed this on several different occasions in this Body. It passed out of here during the last Session with very little opposition. This...what this would do would we allow a grant program that's currently being funded by the Federal Government and each year the Federal Government comes in and says that they are going to delete the money for this, we are going to establish a State program to take over that particular Federal program that we now have. The grants are for the purchase of firefighting equipment for fire departments and fire protection districts. The grants are to be a fifty percent match and shall not exceed ten thousand dollars a year. The funding will be...will come from a two and a half percent of the fund generated by a current one percent gross receipts tax on fire insurance premiums. This would amount to about a

hundred and fifty to a hundred and seventy thousand dollars a year on...under current funding. The one percent gross receipts tax generates approximately one million more dollars than is necessary to fund the entire firemarshal's office, the school at Champaign and the program for the City of Chicago. That...all that money goes in the General Revenue Fund. The idea of the tax was to promote fire protection, and that's what we're after and that's what this...this particular program will do. And I'd appreciate your support. I move for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. All right. The motion is to adopt Amendment No. 2 to House Bill 2395. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No...no further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2542, Senator Barkhausen. Senator Barkhausen on the Floor? All right. Senator Barkhausen asks leave of the Senate to return the bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there amendments, Mr. Secretary, please?

SECRETARY:

Amendment No. 3 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis on Amendment No. 3.

SENATOR DeANGELIS:

Thank you, Mr. President. What Amendment No. 3 to House Bill 2542 does is in counties of more than three million people, it prohibits the housing authority of that county or municipality to locate more than one percent of the Section 8 housing in any one community without the approval of the corporate...body politic of that community. Let me tell you

some things that have been happening for the reason for this amendment. In 1979, the south suburbs of Cook County had twenty-two percent of the housing units. I'm sorry, currently the south suburban area has twenty-two percent of the housing units, it has fifty-six percent of the Section 8 housing. In 1979, we had twenty-nine percent of the Section 8 housing, today it is fifty-six percent. The mayors and people of my area have gone up and met with that authority and they have claimed that they have no control over this, it's occurred because of word of mouth and they cannot, in fact, do anything about it. What this amendment will do is allow them the opportunity not to keep doing what they're currently doing. I move for its adoption.

PRESIDING OFFICER: (SENATOR ERUCE)

Motion is adopt. Discussion? Senator Rock.

SENATOR ROCK:

Only to rise in support of Amendment No. 3. I frankly was unaware that the...we had a housing authority of this magnitude and I think subjecting their decision to...to some local input is a worthwhile thing. I would urge adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR ERUCE)

The motion is to adopt Amendment No. 3. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Are there further amendments?

SECRETARY:

Amendment No. 4, by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR ERUCE)

Senator Barkhausen on Amendment No. 4.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 4 is the result of requests from the City of Chicago and I presume other home rule units of governments that are interested in having available to them remedies for collecting municipal and local

HB 2560  
Recalled

taxes and fees that are available to the State under the Illinois Income Tax Act. I must say that I'm not entirely clear on what these remedies are but they are in the nature of placing of liens and...and otherwise expediting the collection of taxes which are past due, and I would move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 4. Discussion?  
Senator Netsch.

SENATOR NETSCH:

Thank you. Senator Barkhausen, I think, just got this amendment shortly ago and just showed it to me. We haven't really had a chance to look at it carefully, it may be okay. We would...I think it is agreeable that it go on now but I think all of us need to take another close look to see exactly what it is designed for because we're a little bit mystified by that. We assume that a lot of the procedures that relate to local taxes would be available under home rule powers just as the power to impose the local taxes, so we're...we're just not quite clear what it is about and we'd like a chance to look at it. But have no objection to it going on right now.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The motion is to adopt. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2560, Senator Netsch. Senator Netsch, 2560. Senior citizens. All right. Senator Netsch asks leave of the Senate to return the bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch on Amendment No. 2.

SENATOR NETSCH:

Thank you, Mr. Chairman...Mr. President. The amendment would restrict the program which is the Senior Citizen Pharmaceutical Assistance Program to those drugs which relate to cardiovascular conditions. The reason for doing this is simply to reduce the scope and therefore the cost of the program. We found that some of the initial fiscal estimates that the House had prepared were not entirely accurate and the Department of Revenue, Economic and Fiscal and everyone else has sat down to try to figure out the cost of the program under various conditions. We finally agreed, that is the House sponsor and I, that this was the most sensible and humane way to restrict the program so that it would still reach some people who are desperately in need of medical assistance obviously not available to green cards but would not be inordinately expensive. So I would move the adoption of Amendment No. 2 to House Bill 2560.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 2. Is there discussion of the motion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2666, Senator Bloom. Senator Bloom, 2666. Read the bill, Mr...or is there leave to return the bill to the Order of 2nd Reading? Leave is granted. Are there amendments, Mr. Secretary, please?

SECRETARY:

HB 2706  
Recalled

Amendment No. 2 offered by Senators Eloom and Watson.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Eloom.

SENATOR ELOOM:

Thank you, Mr. President and fellow Senators. The effect of this amendment essentially requires any township which levies taxes for cemeteries to distribute a proportionate share of the Personal Property Tax Replacement Fund to the cemeteries. This is a...a request from a House member to add this to the bill and I am more than happy to accommodate. Apparently it's a local problem in his part of the State and I'm always happy to accommodate and would seek your approval for putting the amendment on. Answer any questions; otherwise, seek its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 2. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2706, Senator Jeremiah Joyce. Senator Joyce asks leave of the Senate to return the bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there amendments, Mr. Secretary, please?

SECRETARY:

Amendment No. 1 offered by Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Amendment No. 1 to House Bill 2706 makes the bill applicable only to multiunit residential in excess of five units. There's some objection from the Illinois Savings and Loan

*H.B. 2832 recalled*

with respect to this legislation. I don't know if this removes their objection but at least it mitigates it somewhat, and I ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2832, Senator Etheredge. Senator Etheredge...asks leave of the Senate to return the bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there amendments, Mr. Secretary, please?

SECRETARY:

Amendment No. 1 offered by Senators Davidson and Sommer.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Mr...President and members of the Senate, this amendment does one big thing. It allows the local board of review to be the final authority on whether a property will or will not be tax exempt dealing with church parsonage. If any of you haven't had the opportunity to have your minister call on you with the new regulation or new law, whichever we passed, that the board of review or the Department of Revenue has been deciding whether property which had never, never been taxed before would go on the tax roll, mainly church parsonage, and ninety percent of those have been put on the tax roll by the Department of State Revenue. I think the local board of review is the best way to judge this than anyone I know of, they should have the authority to say whether they're the local parsonage for the church in their county or their area,

they know it better than we do up here, should go on. This property has never been on a tax roll before now and I don't think it should be now. I would urge the adoption of the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt. Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I rise in strong opposition to the proposed Amendment No. 1 to House Bill 2832 and would point out initially that the amendment does not have anything to do with parsonages as such. What the amendment does is to eliminate entirely the role of the Department of Revenue with respect to the determination of what is legally tax exempt property. It would allow it to remain totally with the local boards of review and, since I'm not sure exactly which version of the amendment this is, perhaps also with the Board of Appeals in Cook County. What that means is that there would be no uniformity throughout the State as to the appropriate determination and definition of what constitutes exempt property. I would point out to the members that in this Session of the General Assembly a House bill was introduced, House Bill 3097, an administration bill, at the request of the Department of Revenue which went in exactly the opposite direction from Senator Davidson's amendment. It would have put the authority and the responsibility where it basically belongs in the Department of Revenue, so that there could be oversight with respect to a hundred and two counties' practices. That bill was subsequently amended to do something similar to Senator Davidson's amendment and then was, as I understand it, decisively defeated or at least defeated in the House. So, this is not consistent with the proposal that the Department of Revenue itself had made earlier in the Session. What this inevitably means, without any oversight or any uniformity at the State level, is that there probably



would be a hundred and two different definitions of what constitutes tax exempt property. The local people are undoubtedly more susceptible to local pressures and I think you would find that not just a parsonage but all sorts of fraternal and other agencies would, in fact, be subject to being removed from the tax rolls; and the result of that is, as it always is when we remove tax exempt property, your other taxpayers, that is your own constituents, end up paying the increased burden. There has got to be some...someone to see that the local officials are following the language of the Constitution. If, in deed, the definition of parsonage...and incidently it wasn't the Department of Revenue that made this up, it was a court decision which said that parsonages could not under all circumstances be tax exempt unless they met certain conditions. The Department of Revenue currently has some proposed regulations pending, as I understand it, before JCAR. If they are not appropriate, the General Assembly will have a chance to address those particular standards and guidelines. And if we don't like what they're doing, we can attempt by Statute to offer guidelines. If we don't like what the Constitution says about what is tax exempt, then we have to amend the Constitution. But to open up the entire system to a hundred and two different variations in order to take care of just a couple of...of unhappinesses with a couple of parsonages is very...not only bad tax policy, it would absolutely destroy the property tax base of the State.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. Senator Netsch has made most of my points. Senator Davidson, if there are some particular isolated problems, I think the better way is to come in here with some legislation to deal with those. We're opening up something here that just has enormous consequences and we'll

be reading about the consequences in the local newspapers all over this State years hence if we do this. This is just a terrible, terrible amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rook.

SENATOR ROOK:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in strong opposition to Amendment No. 1. This is not unlike the rather petulant attitude the administration took a couple of years ago when we were going to have a multiplier, divider and come out with some equation. It seems that every time there is some disagreement with what the State is actually doing in the matter of policy, this administration's attitude is, well, the heck with it, we'll get out of the business. You simply can't allow a hundred and two different entities, as the Taxpayers Federation so rightly points out...we're...the whole idea of property taxation, the underlying philosophy has to be uniformity, and this is just going in the absolute opposite direction. I urge opposition to Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sommer.

SENATOR SOMMER:

Thank you, Mr. President and members. My district is made up of nothing but small communities, and when...when something like this happens, when you begin to tax parsonages, people get offended, they get offended by the arrogance of the government down here to do something that they wouldn't do to themselves. What's wrong with administering the property tax at the local level? That's where it's spent. Why can't they make those decisions at the local level? Why should...why should we stand for a system that offends our people...deeply offends them? I...I don't...simply for the idea of uniformity which is an aca-

demio and textbook idea. It would seem more logical that we allow the local people to exempt and include those things they want. If it does add to the tax rolls to take a parsonage off or leave it off, that's the decision that the local folks will have to answer for. And I suspect they can get agreement within each little community and each downstate small county. I can't speak for the County of Cock but I know in downstate you can get community agreement as to what you should be doing. If it's different from a county a hundred miles away, so what.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Farkhausen.

SENATOR FARKHAUSEN:

Well, I'm afraid that I feel compelled to rise in opposition to the amendment. I think that the purpose of uniformity is served just as well in the determination of what property ought to be tax exempt as it is by the Department of Revenue and even though we don't like it in having to apply multipliers to various counties around the State to attempt to achieve uniformity in the level of assessments. I further believe that a remedy, if one is desirable, ought to come in the form of an amendment to that portion of the Revenue Code that deals with property tax exemptions. And that if further direction is needed to the Department of Revenue in determining what religious related property ought to be tax exempt, that we ought to be amending that portion of the Statutes rather than encouraging as this amendment would do a hundred and two different determinations by boards of review and counties throughout the State as to what ought to be tax exempt. I feel the Taxpayers Federation position is well taken and that this amendment ought not to be adopted.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I concur with the sponsor of this amendment because in my own area the State Board of Review has gone back and forth on one particular parsonage and that we did have the case, the Supreme Court decision, Mackenzie versus Johnson, decided last year which finally said the parsonages are not supposed to be taxed. So I think the local areas know where...what should be taxed and should not for the most part, and I can assure you the boards of review of my county, for example, are there so they can go visit the area, know exactly what's going on far better than some State bureaucrat, and I certainly support the amendment.

PRESIDING OFFICER: (SENATOR ERUCE)

Further discussion? Senator Davidson may close.

SENATOR DAVIDSON:

Mr. President, members of the Senate, people have spoke in opposition to this but my answer to one of the opponents, the bill that was in the House was in error by the department, the word, "not" was put in which was not supposed to have been there and that's why it went by the wayside. The other of you people don't have the opportunity to have some faith and ability in your own local board of review to make a right, just decision when you got a ninety percent finding of them putting property on the tax roll that's never been there. Historically, we in America have not taxed church property of nonproducing income. The parsonage which is a benefit that goes with all church and most orders...most church pastors, priests, whatever is a item we have felt should not be taxed by local real estate. That's what this bill is all about. And it's not isclated one or two cases. Senator Schmer had the great joy of meeting with a hundred plus ministers. So happened his district had most of the counties that have been put on the tax roll first. I want to tell you, all you lucky people, if you defeat this amendment,

HB 2953  
Recalled

when all these people back home descend on you, and they will, don't come crying to me if you don't support my amendment. You take your own heat. I'm trying to give a solution of equitability to keep property off the tax roll which we have done, never have taxed, and I think that's the way it should be. And I would urge all of you to vote Aye on this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Those in favor say Aye. Those opposed Nay. The opinion of the Chair the negatives have it. The amendment is lost. All right. There's been a request for a roll call. 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 31...on that question, the Ayes are 24, the Nays are 31. Amendment No. 1 is lost. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2913, Senator Darrow. House Bill 2953, Senator Darrow. Senator Darrow asks leave of the Senate to return House Bill 2953 to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Darrow.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow on Amendment No. 2...3.

SENATOR DARROW:

Thank you, Mr. President. Amendment No. 3...to start with, this legislation deals with foreign trade zones. Amendment No. 3 is at the request of the City of Chicago. We had adopted Amendment No. 2 which said that a foreign...one

HB 3031  
Recalled

foreign trade zone could not be within fifty miles of another foreign trade zone. What this amendment does is clarifies that, says unless the original foreign trade zone gives its permission. Evidently the City of Chicago somewhere down the line may want to establish another foreign trade zone and they want this authority to be able to do so. I'd ask for the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 3031, Senator Smith. Senator Smith asks leave of the Senate to return the bill to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 offered by Senators Dawson and Smith.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate, Amendment No. 2 creates an Act to give preference on public works projects to Illinois citizens. This amendment originally was the House Bill 2836 which was ruled unconstitutional by the Supreme Court, and we have the change in there now to put the unemployment rate exceeds five percent as measured by the U. S. Bureau of Labor statistics for this Act to be effective. And I'll open for any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 2. Discussion of

the motion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. All right. House Bill 3036, Senator Welch. Senator Welch on the Floor? Read the...Senator Welch asks leave of the Senate to return the bill to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch on Amendment No. 2.

SENATOR WELCH:

Pardon me for not being at my desk. Amendment to House Bill 3036, what this does, first of all, is eliminate the original language in the bill. 3036 was the bill that provided for Attorney General to be awarded cost and reasonable attorneys fees, that is no longer in this bill. What this amendment does is it...it brings back a bill that was left in the Rules Committee and what the amendment does is this, it states that dioxin should be classified as a hazardous waste. Within one hundred and twenty days the board shall adopt regulations to list dioxin as a hazardous waste and provide test methods for identifying the presence...the presence of dioxin in waste. I'd move adoption of the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 3041. Senator Welch asks leave of the Senate to return the bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch is recognized.

SENATOR WELCH:

Thank you, Mr. President. What this amendment does, first of all, is deletes the reference in the Calendar, and what it does is creates a small fee to attempt to pay for some of the other bills we passed. Specifically, we passed Senate Bill 1941, 1951 and 1954 by a near...unanimous vote, there were only six negative votes. Those bills are going to cost us six hundred thousand dollars for three studies of underground injections, special waste studies and geological site study. What we're trying to do by this bill is raise the four hundred thousand dollars that we need, having two hundred thousand dollars already in the fund, to pay for these three studies. And the way it will do it is by putting a permit fee of...right now it's two hundred and fifty dollars for approximately a thousand companies who haul special waste and another fee of twenty-five dollars for a special waste stream permit.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Discussion?  
Senator Higney.

SENATOR HIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Higney.



SENATOR RIGNEY:

Have you got any indication what kind of dollars we're talking about here potentially to...to raise from this source?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

Yes, Senator, we do. It's going to raise approximately six hundred and seventy-five thousand dollars at this point.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

And it's on the category of special waste which presumably as a result of the study we'll no longer have that category, will we?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

Well, we...we still have the category, what we're hoping to do is to have the study and either eliminate the category or to reduce it to a more manageable category so that there are special waste that don't have to be manifested and special waste that does have to be manifested. But that will result, hopefully, from the study that we're trying to pay for here. So the answer is possibly, yes, but we don't know what the study is going to find.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

And that study is going to be due when?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

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Recall

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bigney.

SENATOR BIGNY:

Well, I guess what I would be pointing out is we're really talking about something of relatively short duration here, assuming we either eliminate or drastically cut down those things that fall into this special category. So maybe that's why I was kind of wondering how you're going to raise that kind of money off of this particular process.

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Welch.

SENATOR WELCH:

Well, the...the special waste permit will include hazardous waste permits as well, but what this is going to be will be a...a short-term study so we only need a one-time influx of money into the fund basically.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 3069, Senator Etheredge asks leave of the Senate to return the bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio on Amendment No. 3.

SENATOR DEMUZIO:

Yes, thank you, very much, Mr. President. This amendment

is now agreed to by the Department of Revenue. Earlier in the week I'd placed on a...a House bill an amendment that was similar to this that could not be reconciled with the Department of Revenue. I moved the bill back, Tabled it, and as a result, we have compromised on...on this...on this language. In fact, what it does, it says that under current law where...in cases where sales are made by a charge and over a period of time the sales tax does not become due until the actual payments are received by the seller. I don't know of any opposition to this legislation and I would ask...move for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 3. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Are there further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge on Amendment No. 4.

SENATOR ETHEREDGE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this is another agreed amendment. It does two things. First it provides that the penalty provision regarding failure to pay prepaid sales tax is based upon invoiced returns and not at the time of delivery. And secondly, the amendment provides for the acceleration of prepaid sales tax only if the distributor's liability exceeds ten thousand dollars per month during the two preceding calendar quarters. As I said, this is an agreed amendment, I'm not aware of any opposition and I would move for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 4. Discussion?  
Senator Netsch.

SENATOR NETSCH:

Thank you. This is the acceleration at the ten thousand dollar per month level exactly the same as applies to all other retailers, is that correct, Senator Etheredge?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Senator Netsch, that is correct.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

Yeah, I think that's a reasonable accommodation, probably more than they deserve but certainly reasonable.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 4. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 3089, Senator Geo-Karis asks leave of the Senate to remove...return the bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis is recognized.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 1 simply adds Section 4 which states, "This Act takes effect upon becoming law." And I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The motion is to adopt Amendment No. 1. On

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 3148, Senator Weaver asks leave of the Senate to return the bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR BRUCE)

Is Senator Rock on the Floor? Senator Weaver, do you know the content of the amendment...oh, Senator Rock has returned. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. This is an amendment that has been worked on for some time, and...it...it effectively authorizes local governments and school districts to provide additional security and liquidity for bonds and notes with bond insurance and letters of credit. I know of no objection. I would move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock...Senator Rock moves the adoption of Amendment No. 2 to House Bill 3148. Is there any question? Any discussion? The question is,...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is intended to help a

couple of municipal corporations to market some bonds by depositing the proceeds from the taxing districts into an escrow account. It has a sunset clause, and sixty days after the bill becomes...is signed, and so, it's just designed to help a couple of districts market some bonds. I'd move adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Weaver has moved the adoption of Amendment No. 3 to House Bill 3148. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3221, Senator Kustra. 3221, Senator Kustra. House Bill 3255, Senator Iechcicz. Senator Lechowicz on the Floor? Senator...Senator Bruce, for what purpose do you arise?

PRESIDING OFFICER: (SENATOR BRUCE)

Well, if you've gotten to the end of the list, I was presiding at the time we got to 1348, and I'd like to get to that one if we could. I sought and received leave to consider that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Bruce, I am told, on House Bill 3255 that Senator Kelly is going to handle...with leave of the Body, will handle House Bill 3255. Is...is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, Senator Kelly seeks leave of the Body to return House Bill 3255 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3255. Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Lechcicz and Kelly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. This is merely a technical amendment. All it does is change the title of the Act and I ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly moves the adoption of Amendment No. 1 to House Bill 3255. Is there any discussion? If...any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of the recall list is House Bill 1348. Senator Bruce...was presiding. Is there leave granted to return to that? Leave is granted. House Bill 1348. Senator Bruce has asked leave of the Body to return House Bill 1348 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd reading is House Bill 1348. Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 2 offered by Senator Bruce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. This amendment responds to a recent Illinois Supreme Court Case, it's known as the Tri-America Case in which the Supreme Court of the State of Illinois made some determinations as to sale at retail for bulk distributors of motor fuels. That affects several industries in the State of Illinois, and the thought was that

to respond to that case, to make sure that evidence can be submitted by a wholesale distributor be it of any product, groceries, soft drinks or...or otherwise, that they could, in fact, produce evidence that the...that the sale that they had made was a sale for resale and therefore they would not be responsible for the attendant sales tax, that this amendment responds to that. I think it's fair to say that we have not reached an agreement on this. We are trying to reach an accommodation but we have not yet done that. This amendment comes as close, I believe, that we can get the parties to agree to now. I am sure the discussion is going to go on going. The department has assured me that they still have the amendatory veto pen, and I'm very well aware of that and we're still trying to work out an accommodation with them, we're down to two or three words.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce moves the adoption of Amendment No. 2 to House Bill 1348. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Bruce.

SENATOR BRUCE:

And I...I would like to move to reconsider the vote by which Amendment No. 1 was adopted so it is removed from that particular...reconsider the vote and Table Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...with leave of the Body, we'll return House Bill 1348 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. Senator Bruce now moves to...having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was



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Recalled

adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is...the motion is now reconsidered. Senator Bruce now moves to Table Amendment No. 1. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. We'll move now to the four bills that were read off that were not on the printed recall list. House Bill 2325...all right, House Bill 2325, the sponsor is Davidson. Senator Davidson seeks leave of the Body to return House Bill 2325 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 2325, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Davidson, DeAngelis, Macdonald and others.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, before I explain the amendment, I would like leave of the Body to have Senator DeAngelis, Senator Macdonald, Geo-Karis, Chew, Smith, Jones and Newhouse added as hyphenated cosponsors of House Bill 2325 as well as cosponsors of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the request. Is leave granted? Leave is granted. It's so ordered. Senator Davidson.

SENATOR DAVIDSON:

...Mr. President and members of the Senate, this bill...this amendment has been passed out. This is a very, I think, key bill in this Session. It creates the Minority and Female Business Enterprise Act. Provides that not less

than ten percent of the total dollar amount of State contracts as defined by the Minority and Female Business Enterprise Council shall be awarded to minority and female owned businesses. This percentage shall be attained within three years of the effective date of this Act. It has a five-year sunset. This is a goal to be attempted. It does not set a quota. It exempts the State Universities and their governing bodies, local government and constitutional officers. The council will be made up of thirteen members. It has waivers for those individuals, those contractors who are the low bidder and try by reasonable means to have a minority or a female owned business be a subcontractor to them. If they've shown good faith and they have no minority or female contractors who...subcontractors who wish to participate, they can get...grant a waiver so they can...continue on with the job which means that we can save taxpayers money 'cause they are the low bidder. This bill has been worked on, it does not resemble anything at all of the bill we had in Exec. Committee a couple or three weeks ago. We have the support of the minority business and the minority community, the female business...operators, the road contractors, or at least one, the Asphalt Association had no objection. Have support of all the women's groups that I know of who were opposed to this two days ago, that's why we have a number of the people who are now cosponsors of this bill. I'll be glad to try any...answer any questions; if not, I'd...move the adoption of Amendment No. 1 to House Bill 2325.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator...Davidson has moved the adoption of Amendment No. 1 to House Bill 2325. Is there any discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR VADALABENE:

I have with me the greatest superintendent of schools in the State of Illinois, Harold Briggs, from Madison County here at my seat. I'd like for him to be recognized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Harold, nice to have you with us. I'm sure you don't want a roll call on that. Further discussion? Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, you said that this bill bears no resemblance to the bill that was heard in the Executive Committee, I'm glad to hear that. In what way does it differ? I...I'm particularly interested in knowing...you mentioned that this was a goal. I'm sure we can accomplish a goal by means of a resolution passed out of this Senate, and I have the feeling that this is something a lot more than just a goal. Could you address that concern?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Yes. The word goal was used because they did not want to try to set a quota that may not be reachable. This applies across the State so you have some department like Child and Family Service who does a lot of contracting for a lot of both minorities and females may have a twenty percent or more participation, while a very highly technical place like EPA due to the lack of people having the necessary training may be way down. They can balance it out. The other change is that the council membership will be thirteen rather than

eleven. The chairman shall appoint the secretary, before the council appointed the secretary. The waiver...people who show the good faith in trying to get minority-female, they shall be granted a waiver...delineates the separate contract goals for minority and female owned businesses. Also it has the...which was the same in the bill in the Exec. was it does have the provision so the contractor wouldn't have to have two compliances that if you have an agency who, under the Federal Law, Federal funds has to have a compliancy plan on file, they can do that and we already have that, and particularly in IDOT where the Federal funds go in the highway, this means the...construction company or the business, whatever it is, would not have to do two sets of compliances and waste money doing that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, to...to the amendment then, I think that we ought to be aware of what we're doing here. I certainly have no objection to minority and female businesses getting part of State contracts. I think that's the way it ought to be and I think that's the natural progression of things. But the problem with doing it this way is that when we enact State laws that say that that's the goal, that somehow we then begin to lose the competitive bidding process that ought to be taking place. If there are not female or minority businesses that happen to be good bidders for a project, the chances are they're going to be awarded the contracts just to meet this goal, and I really think that's bad public policy. It's kind of like the same quota system that we have in so many other areas and I just think it happens to be bad public policy.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Leske.

SENATOR LEMKE:

I...I was just reading the definitions of minority person, and you refer to a black as a person who origins in any black racial group of Africa. What about the black racial groups of Haiti's, Jamaica, Bermuda and South America? They're excluded, they're not considered black...correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, Senator Lemke, if you go to the next one, it goes down to Hispanic's and most of those people you talk about have some Spanish blood in them, but back up to your first question, those people...wait a minute...whoop...wait a minute...wait a minute, I'm answering your question. A black person was not a native of the area you talked with...to begin with, they originally came from...people who were enslaved from Africa, they are African origin; so consequently, they are covered in the first...first definition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Let me assure you, you better go back and look through history and archaeology. There was black Indian tribes in Puerto Rico, Cuba and South America, okay? Just as there were in Africa, okay? They...and in Jamaica, these...they were not brought there, they were there. When the Spanish came, they were there. Those tribes were there. And when you refer to Hispanics, if you know anything about Hispanics, okay, you don't include them, they are the Philipinoes or the other Hispanics that are in the world. You only refer to a certain limited area, that is incorrect. You talk about Asian people, we know what Asian Americans are. We talking...why do we call them Asian Americans, but we call the others Hispanic and black, which is...which is a misnomer.

You...you...you...you...you refer to the Asian by putting the word in front as a descriptive, as a secondary American when you do that. That's insulting to the Asian community or any ethnic community when you put the country they came from before their American citizenship. I think that you better revise the amendments, and when you talk about the American Indians, you...you...you...you neglect certain other American Indians and Alaskan natives. Okay? Because you...you refer to the origins and of the original people of North America. Originally these people all flowed from one place, and it's a known fact the Aleuts and the Eskimos, they all came from Asia. I mean, you...you got to...when you start defining ethnics and you start using these words, then you should...include those words properly and make proper definitions and not end up in courts. Because as I look at this bill, Senator Davidson, you discriminate against the Haitians, the Jamaicans, the Bermudians, you discriminate against the Philipinoes, that's who you're discriminating against. You're not putting them in the definitions, and I think you should pull this amendment out and come up with a different amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the reason these definitions are here as you see them is because these are the definitions in the Federal guidelines. And...what they have attempted to do in this amendment is to be uniform. I speak in favor of this amendment because this amendment does cover just about everyone my colleague on the other side talks about, either by roots or by...by nationality. And I might tell you, it's about time we did something for not only the minority enterprises but also female owned businesses because you and I know that it's just within

the last five years that the women have been really coming up in their own businesses and it's high time. They get some help for their businesses and also the minorities get some help in their business. I think this is a good amendment, and I think it's a positive type of amendment to show that we really mean business and we want to help all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR RUPP:

What I'm wondering is why there has not been some mention of some other minority group about the fat people. Do you think you've had trouble so far, wait till we get fat power going.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. Just to correct the record from one of the prior speakers who is...probably the acknowledged gifted ethnologist of this Chamber. Reference was made to the Bermudians, Bermuda was uninhabited until the seventeenth century and the groups covered in this bill came from elsewhere. I will say that and I'm glad that you did not include south Milwaukeeans in this. Seriously, as a member of the Executive Committee that voted this concept down, I've...I've looked at the new revised animal and it seems to me that if...indeed, under the last few years that as we have more and more female owned businesses and if, indeed, we are coming at least from behind from a consciousness point of view, that perhaps fair is fair and we really ought to assist these folks because they are gov-

earned...they're governed by...people are governed by the same impulse whether they be male or female and that is that they want to be their own boss. And anything we can do as a part of the public policy of the State to encourage this, I think we should. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Lemke.

SENATOR LEMKE:

I just...in answer to Senator Geo-Karis. Since when do we take Federal definitions serious? I mean, the Federal Government is more screwed up than we are, I mean, in defining things. And, Senator Eloom, there happens to be a...a tribe which was called the Boineans which were in the whole South America area which were black and maybe not had...been down in Bermuda or Jamaica but they were in Puerto Rico and the Amazon, they flowed into that area...before the Spanish.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I'm...I'm sorry to speak for a second time because if we want to get Federal funds to help some of these items in this amendment, we've got to be tailored to the Federal guidelines, and I agree, maybe we should have had the Federal Government, our Congress, expand the definition of minorities, but, unfortunately, this is what we have.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR DAVIDSON:

Well, before I ask for a favorable vote, just one response to one of the speakers who said about raising cost. That's what this bill...big part of this bill is all about, the council and the waiver so that if the person who is the prime contractor has made a good faith effort can get a



waiver so they can continue to get the low bid. Secondly, if the minority or the female business would try to hold that person...up in relation to a bid, that is not a good faith effort on their part and therefore the contractor could get exemptions...exemption on the waiver. That's what this is all about so that we will protect the taxpayer and the tax dollar so that the person who is the low bidder can continue to get that bid and give us the best project for the least amount of dollars. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the adoption of Amendment No. 1 to House Bill 2325, those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As one who is publicly supportive of the Minority and Female Business Enterprise Act as introduced by the administration, I offered an amendment in the Executive Committee to Section 4, which in my judgment is the operative section. That section has been changed from the bill as originally introduced but my amendment would merely add the words...and I think they're very significant, because there has been a great deal of talk about...the gender gap. There has been a great deal of talk about the fact that women, in fact, have been overlooked. This amendment very simply says at the end of Section 4, "Provided, however, that contracts representing at least fifty percent of the total amount of all State contracts awarded to minority and female owned businesses pursuant to this section," which calls for the ten

percent level, "shall be awarded to female owned businesses." This, I think, if we are going to as a matter of public policy establish this as a goal, afford ourselves three years toward the implementation of it, then we ought to make it quite specific that we're really serious. And so you take the whole ten percent pot and say that at least fifty percent of that ten percent will have to be afforded to females. And I would move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President, members of the Senate, normally I would probably want to resist something on a bill that may or may not be mine but I've been around here long enough to understand the wisdom in not opposing the President of the Senate. So, consequently, the amendment which he proposes is acceptable to me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, the question is, shall Amendment No. 2 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On House Bill 2622 an amendment was offered and was picked up from the Table, so that bill will not be called on recall. It would still be on 3rd reading. House Bill 2853, Senator Degnan. Senator Legnan.

END OF REEL

H.B. 2876  
recalled

REEL #4

SENATOR DEGNAN:

Thank you, Mr. President. Can I withdraw that and send it back to 3rd reading?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator, you...you haven't brought it back, so it's still on 3rd, and if you don't bring it back, it stays there.

SENATOR DEGNAN:

Whatever.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 2876, Senator Joyce. Senator Rook.

SENATOR ROOK:

Yeah, he wants to call it back...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce asks leave of the Body to have House Bill 2876 recalled to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted.

SECRETARY:

Amendment No. 1 offered by Senator Rook.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rook.

SENATOR ROOK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2876 is an amendment to the Special Service Areas Act, and Amendment No. 1 will attempt to permit a different method of assessment in a special service area. The Speaker of the House has been alerted to a problem along Wacker Drive. As you know, along Wacker Drive, that north-south section of Wacker Drive, it has now constituted itself into a special service area, and what they would like is the opportunity to have the tax levied in a manner other

than is currently done for the purpose of that special service tax area. They're talking about the possibility of imposing the special tax on the basis of linear footage as opposed to equalized assessed valuation. It...it will result in a substantial tax shifting from one resident of the special service area to be spread among the others, and I'm told it is agreed by all who will participate and the Speaker has asked us to place on Amendment No. 1, and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Netsch.

SENATOR NETSCH:

Senator Bock, I read that amendment briefly beforehand and it is not the easiest thing in the world to understand, but if I understand it, I think it clearly flies straight in the face of the Constitution, and I'm...I'm trying to figure out what it really is trying to do. It seems to me that it says that if you have a service area, that within that service area...that service district, that you can, for all practical purposes, classify the property tax, and that simply is not possible under the Constitution; and if it doesn't intend to do that, I wish somebody could explain to me what it is trying to do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bock.

SENATOR BOCK:

Well, I could only hope you would have adopted the same attitude that was expressed by Senator Davidson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

As...as I strongly indicated to you and indirectly to Senator Davidson at the time, why should he apologize...opposing you? We do it all the time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fock.

SENATOR FOCK:

Well, let me just say that I...I am not prepared at the moment to...to issue a ruling on the constitutionality of this attempt, but it seems to me fair to say that special service areas are a creature of this Assembly pursuant to the Constitutional Convention, and they're permitted to levy a property tax in the service area in the same manner as their regular local property taxes impose, namely on assessed valuation. This amendment would provide an alternative way of doing that and would permit the tax to be levied in a manner as provides...or...or suggests a relationship between the amount of the tax levied on the land and the special service that is rendered in the area. It's a more selective imposition of the tax, permitting the tax burden to be shifted among the...the various blocks, lots and parcels of land, but the benefit is attempted to be linked to the liability; and imposing the tax this way, obviously, raises some questions of uniformity and therefore of constitutionality, but I think it's...it's important to remember that this property tax...is levied pursuant to the authorization of the special service area. It's unrelated, really, to the...to the general, local property tax and it's already a special tax liability; and what we are saying is...or...attempting to say, given the fact that it's a special tax liability, voluntarily entered into by these certain parcels that perhaps they can have a different...could utilize a different way of assessment, and I presume at some point the court will have the benefit of both our views and we'll see who prevails, but I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Etheredge...oh, Senator Netsch. Senator Netsch.

SENATOR NETSCH:

I don't mean to be disrespectful, Mr. President, but I just want to be...the record to...to record me as a No because I don't think you can do this, and I don't think we really ought to be...I mean, there are some possible ways in which you can achieve the...the...this result, if I could figure out parenthetically what the result was, and classification is one. If this is something that's going to take part in Cook County, there's no reason why classification cannot occur even within a special service district, but...but this is directly contrary to a...for example, Section 4 of Article IX of the Constitution which says, "Except as otherwise provided in this Section, taxes upon real property shall be levied uniformly by evaluation, ascertained as the General Assembly may determine," and I just think it is not appropriate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President and Ladies and Gentlemen of the Senate, it is...it has been suggested that the amendment...the adoption of the...amendment would make it possible to use something other than assessed evaluation, perhaps a foot...foot...foot frontage or some other such basis for determining the...the tax liabilities. The wording of the amendment says that you could use the assessed evaluation...or in such other manner as provides a rational relationship between the amount of the tax levied and...in the special service area and the special service benefit rendered. There is no...I want to just point out that there is nothing about foot frontage in the...in the wording at all. The wording is...is quite general, and I think we're all very much aware of the difficulties involved in determining...assessed evaluations for...for this property, and I

would suggest that it's going to be very much more difficult to determine the "special service benefit rendered," as to choose the words that are used here in...in this amendment, and I...the question of the constitutionality has already been raised. I would...I would like to...to raise that...that same...same question, and I guess I, too, would like to be recorded as a No on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. With all due respect to the President of the Senate, Senator Rock, I...I, too, would like to rise to say that I...I feel this is totally unconstitutional, and I am surprised at the Speaker of the House who was also a delegate to the Constitutional Convention that he...that he feels that this is constitutional, and I would like to be recorded No on this particular amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR ROCK:

Thank you, Mr. President. I would...I would just ask that the amendment be adopted. Obviously, we will have some time between now and Monday to take a look. It's an attempt at the request of a single special service district to afford an alternate method of assessed valuation, and I...I think it's worthy of our consideration. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock moves the adoption of Amendment No. 1 to House Bill 2876. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

HB 2211  
Recalled

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the Order of House Bills...on the recall sheet, House Bill 2211, Senator Degnan. Senator Degnan wishes to move House Bill 2211 back to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted.

SECRETARY:

Amendment No. 5 offered by Senator Degnan and, Senator Degnan, it's LBBAM01.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. This amendment will change the number of days required for the return of a rental car after written demand from seven to three days. The reason for the change is that, as a practical matter, cars after they are stolen are moved and parked for four or five days until the police are no longer looking for them. The thieves then come back and run the vehicle into a chop shop, run it on into Wisconsin or Indiana and so on and so forth. This amendment is agreed upon by the Coordinating Council Against Organized Auto Theft, which includes the State police, Secretary of State, state's attorneys and the Department of Law Enforcement. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the...Senator Degnan moves the adoption of Amendment No. 5 to House Bill 2211. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 5 is adopted. Any further amendments?

SECRETARY:

Amendment No. 6, by Senator Degnan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.



SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 6 was to be offered by Senator Coffey but he is off the Floor. I will talk to it. This is, again, agreed upon by the Secretary of State, between them and the scrap processors and sets out requirements for those processors to comply with the Statute. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Degnan moves the adoption of Amendment No. 6 to House Bill 2211. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 6 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Resolutions.

SECRETARY:

Senate Resolution 696 offered by Senators Geo-Karis, Philip and Bock, and it's congratulatory.

Senate Resolution 697 offered by Senators Grotherg, Friedland, Etheredge and all Senators, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 698 offered by Senators Kustra and Lechowicz.

Senate Resolution 699 offered by Senator Jeremiah Joyce.

And Senate Resolution 700 offered by Senators Kelly, Hudson and Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. Resolutions.

SECRETARY:

Senate Resolution...or Senate Joint Resolution 127

offered by Senator Eock.

(Secretary reads SJB 127)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Eock.

SENATOR EOCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Joint Resolution 127 is the adjournment resolution. It calls for us to return to Springfield, ten o'clock on Monday morning, and I would ask the members to make every best effort to be here at ten so that...so that we can meet our deadline. The deadline is Monday night for 3rd reading of House bills, and I would like to be sure that the members have an opportunity to present their bills, and I would move for the suspension of the rules and the immediate consideration and adoption of Senate Joint Resolution 127.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Eock moves to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 127. Those in favor signify by say...saying Aye. Opposed Nay. The Ayes have it. Resolution...Senator Eock now moves the adopt Senate Joint Resolution 127. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The resolution is adopted. Mr. Secretary, have there been any objections filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Eock moves to...all right, Senator Eock has moved to adopt the...the Resolutions Consent Calendar. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The Resolutions Consent Calendar is adopted. Senator Bruce, for what purpose do you arise?

SENATOR BRUCE:

Thank you, Mr. President. There is one bill on concur-

SB 1957  
concurrency

rence, before we adjourn to help out our transcription, is the...main revisory bill. It's a little more than a...a thousand pages long and there are three amendments that the House put on and they're all technical in nature. Leadership on both sides have been apprised of it, but it would help us a great deal if we could get to that order of business on concurrence and concur at least with that one bill to start the typing over the weekend.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, with leave of the Body, we'll go to the Secretary's Desk on the Order of Concurrence. Is leave granted? Leave is granted. On the Order of Secretary's Desk Concurrence...Senator Bruce, what's the number?

SENATOR BRUCE:

Senate Bill 1957, on page 22 of the Calendar, bottom of the page.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, Senator Bruce on Senate Bill 1957. Senator Bruce.

SENATOR BRUCE:

Thank you. There are three House amendments that have been added. One is to make appropriate cross-references to the 1983 Business Corporation Act as opposed to the 1933 Business Corporation Act. The...Amendment No. 1 also corrects several misspelled words and inserts the tax inadvertently admitted from two sections, add a section relating to employee inspection of personnel records to correct an internal cross-reference and corrects two sections and renumbering errors, that was House Amendment No. 1. No. 2 corrected a typographical error...in the section on the minimum wage law, and Amendment No. 3 corrected an internal subsection cross-reference in the Environmental Protection Act. I would move that the Senate do concur with House Amendments 1, 2 and 3 to Senate Bill 1957.

*Request to go to Order of Motions  
and leave is granted.*

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PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Any discussion? The question is, shall the Senate concur in House... Ecuse Amendments 1, 2 and 3 to Senate Bill 1957. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Senator Rock. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendments 1, 2 and 3 to Senate Bill 1957 and the bill having received the required constitutional majority is declared passed. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I move to discharge...is a motion and I move to discharge the Committee on Labor and Commerce from further consideration of House Bill 375, that Rule 5 be suspended and it...that the bill be placed on the Calendar on the Order of Special Order of Business for Wednesday, June 27th, 1984, at 2:00 p.m. This House bill and this motion is to put the firemen's collective bargaining bill out with the police collective bargaining and so that they...both be heard at the same time. Obviously, we're going to have two units of our government in such a special position that we must...vote them time to be heard and express their concerns. So, I would appreciate your support on this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we'll go to motions. Leave granted? Leave is granted. All right, Senator Savickas.

SENATOR SAVICKAS:

I move the adoption...of the motion I just stated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, yeah, I had my light on before you went to motions. I would like to say that the motion should have been...his motion should have been to move to that order of business, and the Chair apparently is moving bills along for him. His motion was to discharge.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator, I asked...I asked if there were...if there was leave to go to the Order of Motions. Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'm requesting that leave not be granted.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well, the Chair has already ruled that we are, in fact, on the Order of Motions. It was put...the question was put to the Body...Senator DeAngelis.

SENATOR DeANGELIS:

My light was on, Senator Demuzio, before you went ahead and proceeded to go to motions, and I'd like to have a roll call to go to that order of business.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well, Senator, we...we are, in fact, are...are on the Order of Motions. I put the question to the Body and, in fact, leave was granted and therefore we are on...are on the Order of Motions. Senator DeAngelis.

SENATOR DeANGELIS:

I do not believe you put the question to the Body, Senator Demuzio. I think if you would read the transcript, all you said was "motions."

PRESIDING OFFICER: (SENATOR DEMUZZIO)

I asked if there was leave to go to the Order of Motions in Writing. I put the question and, in fact, we are on the Order of Motions in Writing. Senator DeAngelis.

SENATOR DeANGELIS:

Well, my light was on, sir, when he first made the motion

to discharge, and my question was going to be that I wanted a vote on the motion to go to that order of business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

I think the Senator is mistaken. I did not ask to go to the Order of Motions in Writing. I asked for leave of this Body to discharge the committee...and leave was granted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

That is precisely why my light went on, because he did not move to go to that order of business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

You don't have to move to that. We move to that...with the leave of the Body, day in and day out at the will of the Chair...with the...with the...with the concurrence of the Body, when he asks leave of the Body and leave is granted, I...we move to that order and this is what we did. Now, you want to change the rules in the middle of the stream and I don't think it's fair.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Savickas, I think you answered my objection. You said we do that with leave. You didn't even ask for leave. You simply said, I move to discharge the Committee on Labor and Commerce from further consideration of House Bill 375, and my light went on immediately.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas. Senator Savickas. All right, Senator Savickas has moved that House Bill 375 be discharged from the

Labor and Commerce Committee and placed on the Order of...of 3rd Reading...on...on the Order of 2nd Reading. Senator DeAngelis.

SENATOR DeANGELIS:

Well, I don't think the Chair has responded to my objection and also to my desire to have the motion...the proper motion precede this motion. Senator Savickas,...and I agree with you, Senator Savickas, we have in fact done this very frequently but with leave. We have not gone directly to a motion to discharge without leave of the Ecdy first, and I would like to have a roll call on the motion to go to this order of business.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well, Senator DeAngelis, the Chair, in fact, did ask and put the question to the membership. It, in fact, was carried, leave was granted, but with...we'll be happy to make an accommodation to you and, so, therefore, Senator Savickas, if you in fact would restate your motion, perhaps we could proceed.

SENATOR SAVICKAS:

Yes, I...I would move at this time that this Body go to the Order of Motions.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator DeAngelis.

SENATOR DeANGELIS:

Does that mean we're going to consider all motions?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

...I am...I assume if we go to the Order of Motions, we, in fact, will take up those members' request on motions. Senator DeAngelis.

SENATOR DeANGELIS:

A further question, how many motions do we have for discharge?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

I am told there are several. We'll try to get an adequate count. There are six motions in writing. Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, could the Secretary very quickly indicate which...what those motions are?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Well,...frankly, we're not...we're not discussing...Senator Savickas.

SENATOR SAVICKAS:

I asked specifically to go for this specific piece of legislation...for this specific order of business for the consideration of House Bill 375, not to go into any other order, to bring this piece of legislation out to the special order of business that was set for Wednesday, June 27th, which is the police collective bargaining bill and to have the firemen's bill heard at the same time. Senator, I know you...you want to confuse the issue and bring a lot of other motions into play. This isn't the purpose. It's one, single issue to be heard on the date that was set aside and the time set aside for hearing the police collective bargaining. We wish to do that with the firemen's bill and that's House Bill 375, and I ask that Rule 5 be suspended and that the bill be placed on the Calendar on the Order of Special Order of Business for Wednesday, June 27th, 1984, at 2:00 p.m.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator DeAngelis, the Chair is prepared to proceed with the roll call. Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Savickas, the Chair has indicated that all motions will be heard at this time.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Savickas has moved that the Labor and Commerce Committee be discharged of House Bill 375 and that the



bill...the question is whether or not the Senate in fact will go to the Order of Motions. Those in favor will...will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 19, none voting Present. The Senate does go to the Order of Motions...Senator DeAngelis. Senator DeAngelis.

SENATOR DeANGELIS:

I would ask for a verification of the affirmative roll call.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. The members will be in their seats. The Secretary will call the...I assume, Senator DeAngelis, the affirmative roll call? The Secretary will call the affirmative roll.

SECRETARY:

The following voted in the affirmative: Berman, Bruce, Buzbee, Chew, Collins, D'Arco, Darrow, Davidson, Dawson, Degnan, Demuzio, Egan, Geo-Karis, Hall, Holmberg, Johns, Jones, Jeremiah Joyce, Kelly, Lechowicz, Ienke, Luft, Macdonald, Marovitz, Nedza, Netsch, Newhouse, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis, do you question the presence of any member?

SENATOR DeANGELIS:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Marovitz on the Floor? Senator Marovitz on the Floor? Strike his name. Senator DeAngelis, do you...

SENATOR DeANGELIS:

Senator Jeremiah...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Now Senator Marovitz is on the Floor. Restore his name.

SENATOR DeANGELIS:

Is Jeremiah Joyce hiding behind Sangmeister?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce. I am told he is not on the roll...oh, he is? All right, Senator Jeremiah Joyce on Floor? Senator Jeremiah Joyce on the Floor? Strike his name.

SENATOR DeANGELIS:

Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Dawson on the Floor? Senator Jeremiah Joyce is on the Floor. Add his name back. Senator Dawson on the Floor? Strike his name.

SENATOR DeANGELIS:

Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson is in his seat. All right, the roll...Senator DeAngelis, do you question the presence of any other member? All right, the roll has been verified. 32 Ayes, 19 Nays, none voting Present. The Senate...Senator Grothberg, for what purpose do you arise?

SENATOR GROTHBERG:

I move we adjourn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, on this question, it's 33 Ayes, 19 Nays and none voting Present. The Senate does go to the Order of Motions. On the Order of Motions, Senator Savickas...Senator Grothberg, for what purpose do you arise?

SENATOR GROTHBERG:

I made a motion...an undebatable motion and I move that the Senate of the State of Illinois adjourn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Grothberg has moved that the Senate

stand adjourned until Monday, June the 25th. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 28, none voting Present. The motion fails. Senator Savickas on the Order of Motions.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I renew my motion to discharge the Committee on Labor and Commerce from further consideration of House Bill 375 and that Rule 5 be suspended and that the bill be placed on the Calendar on the Order of Special Order of Business for Wednesday, June 27th, 1984, at 2:00 p.m.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. Any...any discussion? All right, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. It's so ordered. Further motions?

SECRETARY:

No...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further business to come before the Senate? Senator Bruce.

SENATOR BRUCE:

Thank you. While we're on the Order of Motions, I have one up there I'd like to go through.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We are on that order of business.

SENATOR BRUCE:

And before you go off of it, I have one I'd like to consider.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Bruce, state your motion.

SENATOR EBUCE:

I have filed a motion with the Secretary of the Senate on a bill that was inadvertently not passed out of committee after a substantial amount of debate, House Bill 2838, which is a bill which deals with the disability determinations by the department in the State of Illinois. Senator Davidson has an amendment that I have agreed to on that particular piece of legislation. We have had a...a good deal of discussion and debate. That bill is not going to pass in its present form, but I believe that it would be beneficial to all involved if we could discharge the committee and have it placed on the Calendar on the Order of 2nd Reading and have it read a second time today and advance to 3rd with the understanding if there are any amendments, we will bring those back and put on...on Monday.

PRESIDING OFFICER: (SENATOR LEMUZIO)

All right, you've heard the motion. Any discussion?  
Senator Eock. Senator Eock.

SENATOR EOCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to this motion and to characterize the actions of the Executive Committee as somehow inadvertent, I think is a...a misnomer. There was a great deal of testimony and it was felt...and it was...as a matter of fact, not my inadvertence that this was shot down. The fact of the matter is, that the passage of this law is liable to jeopardize the entire program. There is legislation currently pending in the Congress of the United States, the passage of House Bill 2838 would, in the opinion of the Department of Rehabilitation Services, put us out of compliance with the Federal law and, therefore, have the Fed's take back the program, which is just exactly the opposite of what we all want. I...I think this legislation, frankly, was ill conceived and I think the committee did the

right thing and I think we ought to leave it there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I respectfully ask for a Republican...Caucus now, immediately, in...I mean, excuse me, in Minority Leader Philip's Office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

It's always in order. For...how long will you be? Do you have any idea, Senator Davidson?

SENATOR DAVIDSON:

Awhile.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the...the Senate will...will stand...the Senate will...Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

I've got a motion on file, too, I want to have heard before...before they go to a caucus, I want to have my motion read.

PRESIDING OFFICER: (SENATOR DEMUZIO)

A caucus is always in order. The...Senate will stand in Recess for thirty minutes.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. At the time the caucus was requested, Senator Bruce had the Floor. Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. Before I was so rudely interrupted, we were discussing a motion, but it appears that the...the will of Body is that we do not proceed with the Order of Motions, and for that purpose, I would move that we adjourn until the hour of ten o'clock on Monday.

PRESIDENT:

You've heard the motion. All in favor say Aye. All opposed. The Ayes have it. The Senate stands adjourned until Monday. Have a happy and safe weekend.