

*Agreed Bill List
3rd Reading
HB 986 HB 1278
HB 2092 HB 1914
HB 1213 HB 1714
HB 1039 HB 1326
HB 2055
HB 1703*

83RD GENERAL ASSEMBLY

REGULAR SESSION

JUNE 25, 1983

PRESIDENT:

The hour of ten having arrived, the Senate will please come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this morning by Senator Kenneth Hall. Senator.

SENATOR KENNETH HALL:

(Prayer given by Senator Hall)

PRESIDENT:

Reading of the Journal. Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. I move that reading and approval of the Journals of Monday, June the 20th; Tuesday, June the 21st; Wednesday, June the 22nd; Thursday, June the 23rd;...Friday, June the 24th, in the year 1983, be postponed pending arrival of the printed Journal.

PRESIDENT:

You've heard the motion placed by Senator Johns. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. On the Order of House Bills 3rd Reading, page 28 on the Calendar. With leave of the Body we'll now proceed to the Order of...consideration of the Agreed Bill List. Mr. Secretary, any bills been stricken from the list based on the objection of six members?

SECRETARY:

House Bill 1227 and 1433 were stricken by the sponsor. The following bills were stricken by five Senators: 264, 351, 609, 114...or 1114, 1156, 1157, 1227, 1400, 1666, 1927 and this morning 1835 was removed because they're going to recall it.

PRESIDENT:

All right, if any Senator wishes to be recorded in the negative or Present on fewer than all the bills, you've...according to the memorandum that was distributed,

*HB 186
HB 1260
HB 1309
HB 1579
HB 1882
HB 401
HB 1134
HB 1709
HB 1566
HB 1419*

*HB 986
3rd Reading*

please indicate that vote and the bill number to the Secretary by 11:00 a.m. Mr. Secretary, please read the bills on the Agreed Bill List for a third time.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 186.

(Secretary reads title of bill)

House Bill 196.

(Secretary reads title of bill)

225.

(Secretary reads title of bill)

350.

(Secretary reads title of bill)

401.

(Secretary reads title of bill)

495.

(Secretary reads title of bill)

504.

(Secretary reads title of bill)

505.

(Secretary reads title of bill)

615.

(Secretary reads title of bill)

828.

(Secretary reads title of bill)

842.

(Secretary reads title of bill)

986.

(Secretary reads title of bill)

988.

(Secretary reads title of bill)

1003.

(Secretary reads title of bill)

1037.

(Secretary reads title of bill)

7/13/84

1039.

(Secretary reads title of bill)

1043.

(Secretary reads title of bill)

1057.

(Secretary reads title of bill)

1067.

(Secretary reads title of bill)

1068.

(Secretary reads title of bill)

1077.

(Secretary reads title of bill)

1089.

(Secretary reads title of bill)

1090.

(Secretary reads title of bill)

1091.

(Secretary reads title of bill)

1018.

(Secretary reads title of bill)

1124.

(Secretary reads title of bill)

1134.

(Secretary reads title of bill)

1139.

(Secretary reads title of bill)

1142.

(Secretary reads title of bill)

1166.

(Secretary reads title of bill)

1167.

(Secretary reads title of bill)

1170.

(Secretary reads title of bill)

MS 1213
MS 1260
MS 1209

- 1191.
(Secretary reads title of bill)
- 1202.
(Secretary reads title of bill)
- 1203.
(Secretary reads title of bill)
- 1204.
(Secretary reads title of bill)
- 1213.
(Secretary reads title of bill)
- 1225.
(Secretary reads title of bill)
- 1226.
(Secretary reads title of bill)
- 1230.
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- 1240.
(Secretary reads title of bill)
- 1242.
(Secretary reads title of bill)
- 1248.
(Secretary reads title of bill)
- 1250.
(Secretary reads title of bill)
- 1260.
(Secretary reads title of bill)
- 1283.
(Secretary reads title of bill)
- 1285.
(Secretary reads title of bill)
- 1308.
(Secretary reads title of bill)
- 1309.
(Secretary reads title of bill)

HB 1378
3rd Reading
HB 1326
HB 1419

1310.

(Secretary reads title of bill)

1323.

(Secretary reads title of bill)

1326.

(Secretary reads title of bill)

1336.

(Secretary reads title of bill)

1340.

(Secretary reads title of bill)

1363.

(Secretary reads title of bill)

1372.

(Secretary reads title of bill)

1378.

(Secretary reads title of bill)

1379.

(Secretary reads title of bill)

1381.

(Secretary reads title of bill)

1383.

(Secretary reads title of bill)

1391.

(Secretary reads title of bill)

1449.

(Secretary reads title of bill)

1483.

(Secretary reads title of bill)

1496.

(Secretary reads title of bill)

1497.

(Secretary reads title of bill)

1501.

(Secretary reads title of bill)

HB 1579
Approved Bill
HB 1566
End Reading

1509.

(Secretary reads title of bill)

1525.

(Secretary reads title of bill)

1527.

(Secretary reads title of bill)

1550.

(Secretary reads title of bill)

1557.

(Secretary reads title of bill)

1561.

(Secretary reads title of bill)

1564.

(Secretary reads title of bill)

1566.

(Secretary reads title of bill)

1567.

(Secretary reads title of bill)

1597...sorry, House Bill 1579.

(Secretary reads title of bill)

1595.

(Secretary reads title of bill)

1598.

(Secretary reads title of bill)

1607.

(Secretary reads title of bill)

1611.

(Secretary reads title of bill)

1665.

(Secretary reads title of bill)

1669.

(Secretary reads title of bill)

1670.

(Secretary reads title of bill)

HB 1702
2nd Reading
HB 1802
2nd Reading
HB 1709

- 1673.
(Secretary reads title of bill)
- 1674.
(Secretary reads title of bill)
- 1703.
(Secretary reads title of bill)
- 1709.
(Secretary reads title of bill)
- 1723.
(Secretary reads title of bill)
- 1738.
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- 1772.
(Secretary reads title of bill)
- 1788.
(Secretary reads title of bill)
- 1802.
(Secretary reads title of bill)
- 1825.
(Secretary reads title of bill)
- 1834.
(Secretary reads title of bill)
- 1842.
(Secretary reads title of bill)
- 1879.
(Secretary reads title of bill)
- 1881.
(Secretary reads title of bill)
- 1882.
(Secretary reads title of bill)
- 1883.
(Secretary reads title of bill)
- 1887.
(Secretary reads title of bill)

*Open Bill List
NB 1914
2nd Reading*

1914.

(Secretary reads title of bill)

1918.

(Secretary reads title of bill)

1921.

(Secretary reads title of bill)

1922.

(Secretary reads title of bill)

1925.

(Secretary reads title of bill)

1928.

(Secretary reads title of bill)

1934.

(Secretary reads title of bill)

1941.

(Secretary reads title of bill)

...that was House Bill 1943.

1950.

(Secretary reads title of bill)

1952.

(Secretary reads title of bill)

1953.

(Secretary reads title of bill)

1955.

(Secretary reads title of bill)

1958.

(Secretary reads title of bill)

1960.

(Secretary reads title of bill)

1963.

(Secretary reads title of bill)

2008.

(Secretary reads title of bill)

2015.

742 2092
HB 2055

- (Secretary reads title of bill)
- ..2029.
- (Secretary reads title of bill)
- 2055.
- (Secretary reads title of bill)
- 2060.
- (Secretary reads title of bill)
- 2065.
- (Secretary reads title of bill)
- 2070.
- (Secretary reads title of bill)
- 2072.
- (Secretary reads title of bill)
- 2073.
- (Secretary reads title of bill)
- 2074.
- (Secretary reads title of bill)
- 2078.
- (Secretary reads title of bill)
- 2079.
- (Secretary reads title of bill)
- 2080.
- (Secretary reads title of bill)
- 2092.
- (Secretary reads title of bill)
- 2093.
- (Secretary reads title of bill)
- 2094.
- (Secretary reads title of bill)
- 2102.
- (Secretary reads title of bill)
- 2103.
- (Secretary reads title of bill)
- 2105.

(Secretary reads title of bill)

2109.

(Secretary reads title of bill)

2110.

(Secretary reads title of bill)

2111.

(Secretary reads title of bill)

2115.

(Secretary reads title of bill)

2106...2116.

(Secretary reads title of bill)

2135.

(Secretary reads title of bill)

2147.

(Secretary reads title of bill)

2201.

(Secretary reads title of bill)

2220.

(Secretary reads title of bill)

2230.

(Secretary reads title of bill)

...2242.

(Secretary reads title of bill)

2277.

(Secretary reads title of bill)

2284.

(Secretary reads title of bill)

2287.

(Secretary reads title of bill)

3rd reading of the bills.

PRESIDENT:

The question is, shall House Bill 186, 196, 225, 305, 401, 495, 504, 505, 615, 828, 842, 986, 988, 1003, 1037, 1039, 1043, 1057, 1067, 1068, 1077, 1089, 1090, 1091, 1118,

1124, 1134, 1139, 1142, 1166, 1167, 1170, 1191, 1202, 1203, 1204, House Bill 1213, 1225, 1226, 1230, 1240, 1242, 1248, 1250, 1260, 1283, 1285, 1308, 1309, 1310, 1323, 1326, 1336, 1340, 1363, 1372, 1378, 1379, 1381, 1383, 1391, 1499, 1483, 1496, 1497, 1501, 1509, 1525, 1527, 1550, 1557, 1561, 1564, 1566, 1567, 1579, 1595, 1598, 1607, 1611, 1665, 1669, 1670, 1673,...1674, 1703, 1709, 1723, 1738, 1772, 1788, 1802, 1825, 1835,...1835, I beg your pardon, was on the recall list, 1842, 1879, 1881, 1882, 1883, 1887, 1914, 1918, 1921, 1922, 1925, 1928, 1934, 1943, 1950, 1952, 1953, 1955, 1958, 1960, 1963, House Bill 2008, 2015, 2029, 2055, 2060, 2065, 2070, 2072, 2073, 2074, 2078, 2079, 2080, 2092, 2093, 2094, 2102, House Bill 2103, 2105, 2109, 2110, 2111, 2115, 2116, 2135, 2147, 2201, 2220, 2230, 2242, 2277, 2284 and 2287 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On...on those bills, the Ayes are 57, the Nays are none, none voting Present, and such other votes as have been presented to the Secretary consistent with our procedure, the aforementioned bills having received the required constitutional majority are declared passed.

PRESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Johns arise?

SENATOR JOHNS:

Mr. President and members of the Democratic Senate, there'll be a caucus immediately in President Rock's Office...President Rock's Office immediately for about fifteen minutes. Hope to be back at eleven o'clock.

PRESIDING OFFICER: (SENATOR BRUCE)

Democratic caucus for about fifteen minutes. Motion by Senator Johns that the Senate stand in Recess subject to the call of the Chair. On the motion to Recess, those in favor say Aye. Opposed Nay. The Ayes have it and the Senate

stands in Recess until eleven o'clock.

SENATOR DAVIDSON:

Could I have your attention, please. All Republican Senators, there'll be a caucus in Senator Philip's Office immediately, please. Would you go right on in right now, please, and those of you who are in your office, please come to Senator Philip's Office immediately. Thank you.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR BRUCE)

Come to order. When we adjourned yesterday, we were just at the Order of House Bills 3rd Reading, House Bill 1313. We will start there today and proceed with 3rd readings. Senator Rock, are you ready to proceed on 1313? Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1313.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1313 is an amendment to the Illinois Banking Act and you will recall that in previous Sessions of this assembly we have authorized banks to have facilities. What this bill would do, and the only thing it does, is to afford those facilities the opportunity to make loans. It is obviously, I think, in the nature of, if not branch banking and will require an extraordinary vote, but we are attempting to afford the opportunity to make loans at these now in place facilities for, obviously, the convenience of the customers. I think it's good consumer bill. It is supported wholeheartedly by the banking industry. I know of no objec-

tion and I would urge your favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator Rock, you indicated that the bill was supported wholeheartedly by the banking industry. I remember that at least part of the banking industry, particularly the community banks in Illinois, had a different approach to this. Their approach was to...that this particular provision be a trade-off. The other side of the bargain to be that there would be some limitation on the rights of banks to acquire other banks in Illinois. Now is that a part of your bill, Senator?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

No, and I'm...I apologize to the Senator. When I said wholeheartedly I...that...that should have been phrased a little differently, probably the vast majority. The Illinois Bankers Association is in support of. I am aware that there is some opposition from some who belong to the Independent Community Bankers Association. They did not testify in committee, I am told. Okay. No, but to answer your question, no. The...the only thing this does is add also the authority to make loans at those facilities.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, Mr. President, I...I think we ought to simply be aware that what we're being asked to do here is another

expansion in the trail that ultimately, I believe, is going to lead to complete branch banking in Illinois, and...and this is quite a significant expansion in that authority given to banks just very recently without any limitations of any kind as to the ability of the very largest banks in this State to acquire a large percentage of...an even larger percentage of deposits within, for example, the Chicago area; and for that reason, I'm not going to support the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Senator Rock, I have talked to a couple of...of bankers in my district who are members of the...the associations that you are speaking of and...and they have some...some mixed feelings about this because of the fact that they said really their banks are not large enough to have two loan facilities. You know, they have their main bank and that's where all their loan officers are. If they have to hire more personnel to go into these...you know, drive-in facilities, they...they really just can't...they can't. Have you gotten any kind of feedback on that?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

We're not mandating anything; this is just affording them the opportunity. They are now currently...they can receive deposits, cash and issue checks, change money, receive payments on existing indebtedness and make loans. They don't have to.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell. Further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. What I was wondering, doesn't this just kind of give parity with S and L's as far as loans at facilities, Senator Rock?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock, question from Senator Weaver.

SENATOR ROCK:

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President and fellow Senators. I rise in support of this. Senator Weaver made the point I was going to make and that is it's permissive and it...as long as under the Federal...the Federal legislation that is passed, that S and L's can start performing commercial bank-like functions and S and L's can...are permitted to do exactly what 1313 would permit them to do, it seems only fair that we allow commercial banks to do that. As far as the other issue that was raised by Senator Schuneman, apparently, I saw 1313 sit on 2nd reading for about ten days and nobody offered that kind of amendment, A, and B, 1326 was very tempting at the time but the sponsor put it back in committee. So, I say we vote for 1313 and move on to other business. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

Well, I...I think most of my questions have been answered, but down where I come from there's tight security around these outlets, I mean, they're sealed off. All you can do is go through a glass window and slip your check under and so I...I see now what he says is permissive. If they

want to expand, they want to put personnel in, they're going to have adapt the facilities. So, I think you've answered a lot of my questions. Mr. President, I'm going to support you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, well, I hope this comes as no surprise, but I, too, support Senator Rock in this legislation. I think it's progressive legislation, it's long overdue. I think the multibank holding company legislation that passed this General Assembly has taken all the paranoia out of the...out of the branch banking issue. I think it's long overdue. I think the consumers would very much like to have this additional convenience, and I rise in support of this House Bill 1313.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Are there any questions concerning whether this establishes branch banking? All right. Very good. It's the decision of the Chair that it will, in fact, establish a form of branch banking under Article XIII, Section 8, and you will have to give the Chair a moment to make a computation as to whether or not the bill is passed. Senator Rock may close.

SENATOR ROCK:

Well, I hope it's not necessary to make that kind of computation. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

I hope it isn't. Question is, shall House Bill 1313 pass. Those in favor vote Aye. Those opposed vote Nay. The voting...is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 3, none voting Present. House Bill 1313 having received the required constitutional majority is

declared passed. Senator Rigney, for what purpose do you arise?

SENATOR RIGNEY:

A point of inquiry. I noticed when we passed out the Agreed List on June 23rd, it was pointed out to us about half way down on the front page that those bills that were knocked off the Agreed List we'd go to those immediately after the Agreed List. Have we changed the game plan?

PRESIDING OFFICER: (SENATOR BRUCE)

I believe that we will get to those today. I don't think that we will get to them immediately immediately, but we will get to them today. House Bill 1328, Senator Degnan. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill...House Bill 1328.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 1328 amends the Real Estate Transfer Tax Act. Although property acquired by or from a governmental body today are exempt from the tax, they are not exempt from filing the transfer tax declaration. This bill exempts the VA while in the process of mortgage foreclosures from filing that declaration. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall House Bill 1328 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1328 having received the required

constitutional majority is declared passed. House Bill 1329,
Senator Netsch. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1329.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The bill was requested by the Attorney General's Office so that the language in our State Act dealing with the retailers occupation tax would exactly track the changes in language and requirements in the Federal Bankruptcy Code. Under the old Bankruptcy Code, the State was not stayed from proceeding in State courts against those who still owed, for example, sales tax. Under the new Federal Bankruptcy Code, the State agencies are stayed from that, and this, by picking up and using the same terminology is...makes our State Statute consistent with what we are permitted to do under the Federal Bankruptcy Act. I would solicit your support of House Bill 1329.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 1329 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Aye are 58, the Nays are none, none voting Present. House Bill 1329 having received the required constitutional majority is declared passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of House Bills 1330, Senator Luft. On the...on the Order of House Bills 1338, Senator Bloom. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1338.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, very much, Mr. President and fellow Senators. This amends the Litter Control Act and provides a maximum fine of five hundred dollars. The genesis is township officials found that people were littering at will in rural areas and the small fine seemed to be a small penalty for people to pay. This increases the penalty. Answer any questions; otherwise, ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

UPI seeks permission to shoot some still photos. Is leave granted? Leave is granted. Is there any discussion? If not, the question is, shall House Bill 1338 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, 1...voting Present...or none voting Present. House Bill 1338 having received the constitutional majority is declared passed. House Bill...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would just like to have the Senate welcome back one who served here many years and is now serving as faithfully in Washington D.C., our United States Senator, Alan Dixon.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dixon.

SENATOR ALAN DIXON:

(Remarks made by Senator Dixon)

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of House Bills 1339, Senator Bruce. House Bill 1342, Senator Darrow. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1342.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This legislation permits the disclosure to a peace officer of identifying information about...about a person transported to or from a mental health or developmental disability facility. It would be...permit the disclosure to the peace officer of the individual's name, address, age, name of nearest relative when he...the person is taken into custody and transported to mental health facility or when he's taken from that facility. I'd be glad to answer any questions. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 1342 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 1342 having received the constitutional majority is declared passed. Is there leave to go back to House Bill 1339 for Senator Bruce? Leave is granted. On the Order of House Bills 3rd Reading, House Bill 1339. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1339.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. This is a very simple bill. It allows appeals to be taken from interim rate orders of the Illinois Commerce Commission. It's supported by the Attorney General. I know of no opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 1339 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 1339 having received the constitutional majority is declared passed. On the Order of House Bills 3rd Reading, House Bill 1344, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1344.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This is the Veterinary Practices Act. We have passed a...a similar bill and it's over in the Senate...or in the House now. All of the provisions are agreed upon between the Department of Registration and Education and the Veterinary Association. I'd ask for favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Senator Joyce, you did not amend this bill, correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

No, I did not. You're correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

You are aware that this has a repealer as of December of this year without the amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

I was not aware.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, even if you pass it, it's going to go out of business.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, hopefully, the one in...in the House is in better shape than.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, the question is, shall House Bill 1344 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1344 having received the constitutional majority is declared passed. House Bill 1351, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1351.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. House Bill 1351 provides that if the equalized assessed value of any parcel of real property is less than a hundred and fifty dollars for a particular assessment year, then the county clerk shall declare the tax for assessment year nonfeasible and...cancel the tax for a particular assessment year. Current law states that tax bills must be prepared and mailed as prescribed by law and such preparation takes time and cost, and this simply allows the...the county clerk to...dismiss any assessment of...of less than a hundred and fifty dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 1351 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1351 having received the constitutional majority is declared passed. House Bill 1356, Senator Jones. House Bill 1359, Senator Egan. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1359.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. House Bill 1359 is a request of the Comptroller to allow State employees who purchase U. S. Savings Bonds through the

payroll deduction process to designate the bond in the name of another individual rather than just their names. The practice now is...or the law requires only that the employee is the named bond purchaser. This will allow employees to designate the names of their children and spouses, et cetera, and I move...I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 1359 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 1359 having received the constitutional majority is declared passed. House Bill 1367, Senator Joyce. House Bill 1368, Senator Joyce. House Bill 1369, Senator Davidson. House Bill 1370, Senator Carroll. House Bill 1373, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1373.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members of the Senate, House Bill 1373 is a technical sort of cleanup bill to amend various...use and service occupation...the various Use and Service Occupation Tax Acts, so as to allow the Department of Revenue to change the method of calculating the use and occupation tax from the...from the price which...automobile repairmen pay for various products and to allow the Department of Revenue to adopt rules and regulations for the collection of this tax. It was to calculate the tax on something other than the price. The rationale for the bill is it...because the...the

tax is...is imposed in part on the...the price or the cost of the...of the...in the case of automobile repairmen, the...the parts that these individuals or businesses are purchasing and...and is also calculated in part on the service rendered that the rules and regulations need to be set forth...by the department for the collection of this tax. A similar legislation has been passed in...in...in recent years for pharmacists and also for printers, and this bill is an attempt to parallel...those previous pieces of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Netsch.

SENATOR NETSCH:

Senator Barkhausen, is there a fiscal impact from the change in the method of computation in House Bill 1373?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

The Department of Revenue says not, and they...they favor this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch. If there is no further discussion, the question is, shall House Bill 1373 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 1, none voting Present. House Bill 1373 having received the constitutional majority is declared passed. Is there leave to go back to the Order of House Bill 1370 for Senator Carroll? Leave is granted. On the Order of House Bills 3rd Reading, House Bill 1370. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1370.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is to provide that rules on file with the Secretary of State on October 1, the new uniform date, which are not properly codified are void. This is in conformance with the schedule we had mandated on codification and publication of rules and this is the implementation legislation. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 1370 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. House Bill 1370 having received the constitutional majority is declared passed. On the Order of 3rd Reading, House Bill 1374, Senator Luft. Read the bill, Mr Secretary.

SECRETARY:

House Bill 1374.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 1374 provides that the effective date for temporary disability benefits shall not be more than six months prior to receipt of the application by the fund. The current sixty-day application requirement does not give the...disabled employees the...the time to file and they often lose benefits to which they otherwise would be entitled, so I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 1374 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1374 having received the constitutional majority is declared passed. House Bill 1382, Senator Luft. Read the bill...on House Bill 1386, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1386.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. The original bill makes the requirement that school board members maintain their residency uniform for all types of district...districts and it also makes the School Code consistent with the new consolidated election laws. These were some technical changes meant to clean up the Statutes. There is an amendment, however, which is a substantive amendment in which I'd like to explain to you now. The multi-year contract law provided by the Illinois General Assembly, passed by the Illinois General Assembly in 1969, provides that a superintendent of a school can sign up to a three-year contract. After checking with a number of people who have been around this Body for a number of years, I've come to the conclusion, as has the Illinois Association of School Boards, that it was never the intention of the Illinois General Assembly to extend teacher tenure to superintendents after they have completed their multi-year contract. In other words, the superintendent either chose to accept the three-

year multi-year contract, and if he did so, then he gave up teacher tenure. So what this amendment does is clarify that by stating once and for all that if a school superintendent chooses to take a three-year contract, he gives up teacher tenure and can't go back into the school as...as a teacher. I would ask for its favorable consideration. I'd answer any questions, if there are any.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator DeAngelis.

END OF REEL

REEL #2

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

When was this bill first passed? The original Act passed that you're amending.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

The bill was passed in 1969.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Another question and then a comment. Why would you wait fourteen years to amend a bill to put in what has been perceived, and by the way, Senator Demuzio, I think you sponsored this bill, to put an intent that was stated in 1969? Why suddenly have we come to the realization that the purported intent is not in the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Well, for twelve years there was no problem with this law and it was understood by all that a superintendent gave up those tenure rights, but in the last two years two superintendents in Illinois, who were fired as superintendents, tried to get jobs as teachers claiming that they had tenure. Again, that simply wasn't the intent of the law. I haven't talked to anyone in this General Assembly who would want that to be the law, and so this amendment will take care of that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, just as a comment. If we, in the General Assembly, undertook to statutorily deal with the grievances of one or two individuals in the entire State on each issue, we would not then have enough room anyplace to put those Statute books. The thing, however, that concerns me about this, Senator Kustra, and you and I have discussed this; one of the unforeseen consequences of this particular amendment is; one, that it could destroy multiyear contracts, because if I were a superintendent right now, with this amendment on there, I would not sign a multiyear contract. Secondly, in some instances where there is some dispute between either the board or the superintendent or the superintendent and the community, or the board and the community, one of the ways of perhaps resolving that grievance is to give some kind of gracious exit to that superintendent without going to war, and you're losing that opportunity also. So I would urge defeat of this particular bill with the amendment on. Unfortunately, by the way, this amendment was put on, it has never been seen anywhere else, either as a bill prior or in any committee. The bill itself I'm prepared to support but the amendment has made it rather bad.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, a question pertaining to the amendment. I'm...I'm curious to know how this might affect some school districts in my district that are beginning discussions about the possibility of consolidation. Now, as I understand what you are saying is that if those three or four school districts finally decide to consolidate, that any of those superintendents who may now be working under multiyear contracts would

have no teacher tenure rights under the...in the consolidated district. Is...is that basically the...the thrust of the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Yes, that's true, unless they had negotiated teacher tenure in their multiyear contract. There is nothing in the law that permits...or permits them or forbids them from negotiating teacher tenure, but under the law, the law does not provide that they shall have teacher tenure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you. I...I have a concern about the bill then because it seems to me that in...in this day and age when perhaps we should be encouraging school consolidation, at least we shouldn't be putting road blocks in the way. I doubt very much that those teachers or those...those superintendents have such an agreement in their contract. It seems to me that if they know up-front that working toward consolidation is going to cost them the loss of their jobs, that this might very well be an impediment to consolidation of those schools. So, I would have a concern about that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I stand in support of the bill. I think that we're dealing here with a superintendent, that's management. If he's a worthwhile candidate for superintendency, I don't think he'd have any trouble building in tenure rights into that contract that the board wants to give him, and I think this clarifies the law in a way that gives them both the

option on both sides, the school board and the prospective candidate, for the superintendency. The equal bargaining power, you're talking about a substantial benefit, a substantial pay level for these superintendents...these are big ticket positions in this State, and I think this is a...a fair bill. I'm going to vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bruce.

SENATOR BRUCE:

I rise in support of the legislation, it clarifies a problem in the Act. When we passed the multiyear contract agreements sponsored by Senator Demuzio, it states that this is a statutory waiver. States in the Act presently, "By accepting the terms of a multiyear contract the superintendent waives all rights granted him under the tenure sections of the Act." All this does is clarify that, it does not impede the right of anyone to give a multiyear contract. It just clarifies the tenure rights and I rise in support of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator DeAngleis, for the second time. Senator DeAngelis. Further discussion? Senator Kustra may close.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. If we don't clarify the law on this situation, what we're saying, we're...we could be encouraging school districts to hire a school superintendent on a multiyear contract, and then sometime later when that superintendent loses his job as a superintendent, we want to put that person into the classroom. I don't think we really want that to happen. What we want to do is make sure that the people in the classroom are the people who are hired for the purpose of teaching and have those credentials. I would ask for your favorable consider-

ation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1386 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 4, none voting Present. House Bill 1386 having received the required constitutional majority is declared passed. 1388, Senator Hall. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1388.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This gives the Department of Transportation the right to convey lands in the City of Centerville. The property being conveyed to Centerville by DOT is a pond which was to be used for...and it's going to be used for park purposes now. The pond was created by DOT upon excavation of a road building purposes. We put an amendment on the bill that said this, "The conveyance authorized by Section 1 of this Act shall be by quit claim deed only after payment of the current appraised value to the State by the City of Centerville, and only at such time as is the discretion of the Department of Transportation. The department determines when the time is appropriate. I ask your most favorable support of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 1388 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all

voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 1388 having received the required constitutional majority is declared passed. 1390, Senator Zito. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1390.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. House Bill 1390 makes various changes in the Horse Racing Act of 1975. The bill was...is a composite of long efforts of...of hard work by the Illinois Horse Council whose membership includes racing associations of Illinois, Thoroughbred Breeders Association, Standardbred Breeders Association, Trotting Horse Association, Horsemen's Benevolent Protection Association and the Illinois Horse...Harness Horsemen's Association. They worked in conduct...in conjunction with the Department of Agriculture to come up with this bill, and it addresses their various problems and concerns and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? Senator Darrow.

SENATOR DARROW:

Would...would the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR DARROW:

Would...was this legislation amended in the Senate?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Yes, Senator it was. The amendment that was placed in committee became the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Well, then could you give us an explanation of the bill rather than just who worked on it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Well, Senator Darrow, as I had said, the...House Bill 1390, as amended, makes various changes. Some of the changes are the transferability of funds in the breeders programs to avoid cash flow problems. It also makes changes with the thoroughbred breeders program and the standardbreeders program and investigation and eligibility of breeders programs. These were all suggestions by the people that I listed. They worked in conjunction with Department of Agriculture, who also supports this legislation, and that's...that's the rough outline of what the amendment and now the bill does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? The question is, shall House Bill 1390 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 2, none voting Present. House Bill 1390 having received the required constitutional majority is declared passed. 1394, Senator Lemke. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1394.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is requires every charitable organization which receives a charitable contribution of fifty thousand dollars a year to file a written report with the Attorney General. This is a bill requested by the Illinois JC's. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 1394 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1394 having received the required constitutional majority is declared passed. 1399, Senator Lemke. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1399.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is reduces the...from twenty-four hours to twelve hours the time period involved for certain information to be given to a woman seeking an abortion. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

question is, shall House Bill 1399...Senator Fawell.

SENATOR FAWELL:

Could you explain that bill, slowly, one more time, I'm sorry, I...I was busy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Lemke.

SENATOR LEMKE:

What this does is reduces from twenty-four hours to twelve hours the time period...involved for information provided to a woman seeking an abortion. Such information entails the medical rules and so forth. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Doesn't this also...doesn't this bill also talk about...the copy of pregnancy test results being given by an agent of the physician?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

That is true. There is an amendment on there that the...presents a woman just to be given a true copy of her pregnancy test prior to an abortion. This...would...this measure allows a safeguard against performing abortions where there is no pregnancy. This is an amendment requested by the medical society.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Who has to give a copy of that test?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

HB 1400
3rd Reading

I would assume the person that gives the test.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I'm given to believe that a referring physician also must provide that. Is that true? Not to...not only the person who gives the abortion?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

That's not correct. What the bill does...what we have now on the current laws is the results of her pregnancy test, this amendment says just a true copy of her pregnancy test. This means you can make a...just like making a photo copy or something, but you can give her...you can give her a true copy, that's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? If not, the question is, shall House Bill 1399 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, 5 voting Present. House Bill 1399 having received the required constitutional majority is declared passed. 1400, Senator Sangmeister. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1400.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. This

bill was on the Agreed Bill List and has been removed, I guess for debate. House Bill 1400 clarifies existing laws. It relates to the treatment of income from Federally tax exempt bonds, for example State, local and municipal bonds and other types of bonds. Now the reason for the legislation is because Illinois appellate courts have issued conflicting...rulings and I want to reaffirm our legislative intent on the question of whether amortized municipal bond premiums are taxable income. No question arises on corporate bonds, there the amortized premiums are excluded from income. Municipal bond interest is subject to State but not Federal Income Tax. As a result, the question arises as to how to calculate interest on municipal bonds issued at a premium when interest is added back into income for Illinois tax purposes. This bill clarifies that for municipal bonds issued at a premium, most of the payment received is interest but some of it is a nontaxable return of capital. For example, a ten year hundred dollar bond which is sold at a premium for a hundred and five dollars and pays five dollars a year, yields interest of four dollars and fifty cents or 4.5 percent. Because the five dollars paid is based on an investment of a hundred and five dollars, not a hundred dollars, the additional fifty cents received is a return of capital. At the end of the ten years the five dollars extra cost will be fully recovered or amortized. The same treatment should be given to municipal bonds as is given to corporate bonds issued at a premium. That is, and has been our intent, and this legislation clarifies the existing law. The bill is supported by the Illinois Bankers' Association. I would appreciate a favorable roll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, I thought we did this a couple of years ago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SCHUNEMAN:

How does this conflict with that?

SENATOR SANGMEISTER:

That is correct, we did this two years ago, it went to the Governor's Desk, and for one reason or another, I don't know why, he vetoed it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

May...will the sponsor yield for one question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Your bill is a little complicated...it's a little complicated for me, Senator. Let me ask you something, will our taxpayers benefit by your bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

No question about that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I think the fair answer to your question, Senator Geo-Karis, is a few chosen ones will benefit from the bill. I...I would like to say, I had wanted to point out and that has now come out that the bill was passed last Session and vetoed by Governor Thompson. I would also like to say that it does have a fiscal impact. No one has been able to put a price tag on it. We do not know whether it is small, medium or large but it clearly is going to remove something more, in effect, from the...the tax base,

and it is just simply another one of a long chain of events that has whittled away our tax base.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Sangmeister, isn't...is the major person who would be benefited by this legislation a person who has tax shelters and invests in municipal bonds?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I don't think that question is fairly worded. It...it will benefit definitely people who are dealing in State, local and municipal bonds, that it will. Now if that...if that's a whole tax shelter for somebody then I suppose it would be some additional added advantage, but it's not geared to those kind of people.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

But...but the point is...the beneficiary is a person who buys municipal bonds, not a bank or a...another type of holding company, it's the individual?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, if I misunderstood your question originally, the answer to your question is, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well...well, I would just like to rise then in opposition to this. It seems that we don't know how much money this is going to cost, and it's going to help a select group of people who own municipal bonds and one of the major purposes aside from helping municipalities for owning municipal bonds is to shelter your income in...in a nontaxable form, so that if you buy enough bonds and you get enough return back, you don't have to pay any income tax. So it seems to me that this is a...a very specialized piece of legislation. I think that maybe we should let the courts resolve it without having the legislative decision and then if...if the appellate courts are in conflict, rely upon the Supreme Court to decide it, but I don't think that we should say here in this Assembly today that the time has come for us to give a tax break to everybody who has a tax shelter in...in the guise of reform. So I would urge people who do not have tax shelters to vote No. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...DeAngelis.

SENATOR DeANGELIS:

Well, you know, we get this idea about who benefits from what. You know, it's kind of a crazy argument because if we want to turn around and not exempt this income then what we ought to do is not exempt it and you'll find out that municipalities will be paying twelve percent interest rather than six. But the fact is that we do intend to exempt and that's what this codifies. I mean, it's no big windfall for anybody, I don't happen to have any municipal bonds, but you know, if you change the rules, you change the cost, folks.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman, for a second time.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I'm...I apologize for rising a second time, but I think I may have started this whole thing and I had no intention of doing...of doing that. We don't...we don't want to get into some kind of silly discussion here. All this bill does is try to bring about equity. As I understand it and as I remember the issue, the Department of Revenue seeks to tax these bonds on the basis of the recovery of the premium as being...income and they shouldn't be taxed that way. They should only tax people on the basis of their actual earned income and that's what the sponsor seeks to do and I...I support the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, in further interest of clarity, I...I think there's a misunderstanding that all...all of this interest is...is tax free, it is not. It is the return of capital as in the example that I gave you in establishing the legislative intent. That's the only portion that's going to be exempt and this is not a windfall for people with tax shelters and municipal bonds. Ask for a favorable roll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1400 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Senator Savickas. Have all voted who wish? Have all voted who wish? Take the record. On that question the Ayes are 52, the Nays are 1, 2 voting Present. House Bill 1400 having received the required constitutional majority is declared passed. 1402, Senator Egan. Read the bill, Mr. Secretary, please.

ACTING SECRETARY:

House Bill 1402.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. House Bill 1402 changes the existing income tax...State Income Tax Act. Currently, Illinois, while using the Federal adjusted growth income for Illinois tax purposes, does not permit negative income to be brought down for State tax purposes. This bill...changes the definition of income to allow for such a...tax negative to be brought forward and as such will afford...a further deduction for those who have, for example, municipal bonds and...I commend it to your favorable consideration. I know that the Department of Revenue has no opposition to it and...and we've amended it to allow for only one year; consequently, I think that we've taken all the bugs out, and I commend it to your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you...Mr. President. Without the amendment the bill would have had a much more serious impact and I think would have been very highly questionable fiscal policy. With the amendment I think it is not unconscionable fiscal policy. I assume it probably has a modest impact on revenues, but it certainly is not one that is possible to determine. At least by confining it within the same time frame and not in effect allowing a double tax benefit through the carryover carry-back, I think it is...I can understand why the Department of Revenue no longer objects.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? If not, the question is, shall House Bill 1402 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all

voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1402 having received the required constitutional majority is declared passed. House Bill 1404, Senator Savickas. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1404.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, House Bill 1404 creates the Off-track Feasibility Study...of parimutuel betting. It would seek to conduct a feasibility study of off-track betting. At the present time, I think, at the tracks, the State receives about seventy million dollars. We feel that...some of us feel that through off-track betting this may increase the State's revenue on income, and the best thing that we can do is to study it to see if this will bring in additional revenue. People are out on the street betting at little bookmaking parlors, let's see if the State can get a little handle on it. It would be controlled through the State Racing Board. We have the board set up; we have everything in place to do it. Again, I think, this would...I personally think would bring revenue into the State coffers. I would solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Grotberg.

SENATOR GROTEBERG:

Thank you. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Grotberg.

SENATOR GROTBORG:

Didn't we kill this same bill yesterday, you got 11 or 13 votes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

No, Senator Grotberg, if you would have paid attention, yesterday we dealt with...with the thought of casino gambling, legalizing casino gambling here in Illinois for purposes of raising revenue. We just get tired...some of us get tired of seeing all of these do-gooders that say gambling shouldn't be in Illinois hop the first free junket that they can get a hold of out to Vegas and out to Atlantic City. Usually many legislators who vote against this type of legislation are the first ones to ask for the free junket tickets.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. On a hot day in June, this is not the first time this bill has been offered, I assure you. I see no real reason to create a legislative commission for such a purpose. I think those people that would like to have off-track betting should just put a bill in the General Assembly and save the nuisance of a lot of people running all over these United States and particularly to save an appropriation for which there is none going with this bill. It's another standard procedure to...I don't know who's going to be out of work...are there any public members on this? No. Yes? Well, that would be one employee to say the least and an executive secretary. Why don't we just put in a bill to create off-track betting. It's nothing new, there's standard Statutes in those states that have them, bring it here and let's try it and analyze it and...and we have paid staff here that can analyze those bills. There's just absolutely

no sense in going out and creating a big brouha. We can have a legislative hearing by the Revenue Committee and run our own people around the State without multiplying. I suggest a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman. Senator Collins. Senator Becker.

SENATOR BECKER:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield, Senator Becker.

SENATOR BECKER:

Senator, if this bill should pass, can this General Assembly be assured that it will be a two-year study...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas. Oop.

SENATOR BECKER:

...by this commission?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Becker. If...have you concluded, Senator Becker? Senator Savickas.

SENATOR SAVICKAS:

Well, Senator Becker, I don't think it will be two years. The bill calls for the report to...to the Governor and the General Assembly not later than March 15th of 1984. I'd like to just comment at this time, this was not introduced before. We did have and I did sponsor legislation for...off-track betting a few years ago with the thought that this would help enhance our revenue. The bills were in, nobody seemed to...take a vital interest in the revenue that it could have generated, so we thought that through the commission approach we can show you that this is a viable, feasible way of bringing in some revenue for Illinois using our existing gambling facilities. When I say, gambling facilities, I mean the race

tracks that we authorize here in Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Becker.

SENATOR BECKER:

Senator Savickas, how many other states have off-track betting and are they controlled by the Racing Board?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Senator Becker, I don't have that information with me now. I know there are a couple. I would suggest that the commission could look into that in depth and get you the correct answers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to this proposal, with all due respect and deference for the bill's very fine sponsor. I'm reminded of a Federal commission that I heard about at one time that was established and after the expenditure of hundreds of thousands of dollars and the commission was to investigate why kids fell off of bicycles. And the commission reported in its conclusion, after months of study that children fell off of bicycles because they either lost their balance or they ran into something. And I'm afraid that that probably would be the result of the expenditure of a hundred thousand dollars on this commission. Furthermore, what worries me a little bit is, according to the very fine sponsor, it seems to be the thrust of the commission that we don't really study it with the idea of seeing if it's a good idea or not but we study it with the idea that it is a good idea and that's the way the State of Illinois should go which I don't think is an objective approach to begin with. I

think it would be a waste of money, and as Senator Grotberg has already said, if the...assemblage here is of the opinion that this is a good idea, simply introduce a bill that would put this into effect and we'll debate it and vote it up or down. All right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Senator Savickas, I think that there may be some need to study this area. I...I think there's a lot of confusion in the field, a lot of confusion in the racing industry. You know, I was coming out of church last Sunday and I was following two bookies out of church and one was wrapping the other on the head and he said, how many times have I told you, it's hallelujah not Hialeah.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

Well, on that note, I would like to address one of the concerns of the previous Senator that spoke that we are just studying something and for studying purposes and not to do anything. If he would...read Section 4 that states that the commission has the power and duty to conduct a feasibility study of off-track parimutuel betting on horse races as may be implemented in this State. The purpose is to implement this program in this State. Such study should include but is not limited to investigation and examination of the possible market, types of systems which may be adopted and an analysis and projection of the possible legal, the security and socioeconomic and revenue producing effects as well as the effect on the horse industry in this State and the adoption of a State-wide system of off-track parimutuel betting on horse races in this State. This...this commission would be

delegated the authority to set up a system to bring to this General Assembly their conclusions on how off-track betting and if off-track betting can benefit the financial crisis that has developed in this State. I would suggest that this is a good source of revenue to be used and to be explored, an alternate source to all of those that...that hesitate to support an income tax or an increase in other taxes and yet want all the services that the State should provide. I seek your Aye vote on this matter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1404 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 19, the Nays are 34, 1 voting Present. House Bill 1404 having failed to receive the required constitutional majority is declared lost. 1409 I understand is to be amended. 1410, Senator Lemke. 1412, Senator D'Arco. Read the bill, Mr. Secretary, please. On the Order of 3rd Reading, the top of page 17, House Bill 1412.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1412.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill provides that a heart attack in the Chicago Police Article of the Pension Code need not result from an injury occurring at some definite time and place. I don't know of any opposition to the bill. The City of Chicago has signed off on the bill and the Chicago police need this bill. There is confusion in the

courts as to the determination of when duty disability begins, if a policeman, in fact, does suffer from a heart attack and hopefully this bill would clarify that. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, I've forgotten what...what benefit it is that we're amending here. Is this the...is this the pension or the disability or what is it we're amending?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Disability.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well...this is an interesting bill. I notice that it says that...that a heart attack need not result from an injury in order to be considered an injury in the course of duty. That sounds like worker's compensation language to me, and...are we simply going to blanket in heart attacks from any cause into the disability coverage in the city and is that really a good idea? In other words, I don't know for sure what causes heart attacks and I don't know that anybody does, but I...I understand that it can be caused from too much smoking and too much...of other fun things. But...okay, you can tell me what causes a heart attack, let's hear it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Grotberg.

SENATOR GROTERBERG:

Well, thank you, Mr. President. I have tried to be a good supporter of the Fraternal Order of Police but the previous speaker is absolutely correct in that this is a Chicago police bill. Am...am I correct, Senator? Not downstate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator D'Arco.

SENATOR D'ARCO:

Yes, that's true.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Groterberg.

SENATOR D'ARCO:

I hope that doesn't make it a bad bill.

SENATOR GROTERBERG:

No, it certainly doesn't. But the...it's...it's a lawyer's dream and relief bill to try to prove heart attacks going in. The worker comp. program has that all set up and I don't know if worker's comp. is good enough for the rest of the State, and all of the Chicago delegation that I know of seems to be very supportive of workmen's comp. and increased workmen's comp., and yet, you've gone bare on that subject with the Chicago Police Department. I think the best thing we could do with this bill is to discourage it by killing it quickly and painlessly 'cause there's nothing ahead but trouble when you open that window of trying to prove a heart attack off the site and going on and on in the courts and...and I'm not so sure that the FOP is that excited about it, I haven't heard about the bill being a biggie. But it certainly is a...a confusing circumstance for this Legislative Body to dictate when and where a heart attack occurs and for what reason.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR D'ARCO:

Thank you. What really causes heart attacks, Senator Schuneman, is...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, wait a minute...pardon me, Senator D'Arco. Senator Collins, did you wish recognition?

SENATOR COLLINS:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator. Senator Collins.

SENATOR COLLINS:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR COLLINS:

Why did the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

...Senator D'Arco, why does the Pension Laws Committee disapprove of this legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

I haven't been to a Pension Laws Commission meeting in a long time, because we...we in the Senate think that they've got some tremendous problems there the way they're structuring that commission these days, and in our...in our wisdom, the pension...the Senate members don't go to those meetings anymore, so we don't know why they disapproved of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Seriously, usually they disapprove if...if a bill has a tremendous fiscal impact or is...has difficulty in terms of administration, so I see that on this bill and I most certainly would like to know if it had any fiscal impact on the city or on the pension system there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

No, the fiscal impact is negligible, barely any at all. I think they would disapprove of it probably because of a policy change on the part of...the Pension Board. But to address Senator Schuneman's question, probably what causes a lot of heart attacks is spending too much time down here in Springfield, but other than that...Senator Grothberg, I want you to understand this has nothing to do with workmen comp. This only applies to a policeman's duty disability benefit before the Chicago Police Pension Board. So it has nothing to do with any workmen comp. benefits that a policeman would be entitled to if he's injured on...on the job. And the determination as to whether or not a policeman suffers a heart attack in the line of duty is made by that board. So they have, in fact, made many decisions concerning whether or not a policeman suffered a heart attack in the line of duty. And the courts have interpreted the law in many occasions as to whether or not their decision was made properly or not. So, I hope I've...I have addressed your concerns. This bill simply would broaden the scope of when the determination is made as to whether he is...was injured in line of duty or not and that's all it does, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1412 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes

are 34, the Nays are 20, none voting Present. House Bill 1412 having received the required constitutional majority is declared passed. 1413, Senator Lechowicz. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1413.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill...1413 prohibits active or retired persons convicted of a felony involving the wrongful death of a police officer from receiving any benefits from the Illinois Pension Code System. The bill is accurate in its synopsis and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question...Senator...Senator...Collins.

SENATOR COLLINS:

That went by pretty fast and I...I...would you mind repeating it again?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, Senator, all you have to do is take a look at the Calendar. It says, "Amends the Chicago Police Article to bar from receiving any benefits from the fund any person who is convicted of a felony involving the wrongful death of a police officer State-wide." And since we're part of the Illinois Pension Code System, that includes all State employees, county employees, all covered by the code, that if they're involved with the death of a police officer, they are

ineligible of receiving any pension. And I believe that if you...if you want to protect the life of police officers in the line of duty and a person is convicted of killing a police officer, they should be disbarred from pensions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?...Senator Collins.

SENATOR COLLINS:

No, let me...just...if a member of the General Assembly...I...I'm trying to understand this...kills a police...officer, then that member of the General Assembly is ineligible from receiving any pension benefits?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

If he wrongfully...kills a police officer, he...and is convicted of a felony, he loses his pension benefits, that is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Will his or her family lose their...the benefits?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Wait a minute. There's some confusion on the bill, and I...I think we can straighten it out. This...this bill amends the Chicago Police Article of the Pension Code and all it says, I think, is that if a person does, in fact, kill a police officer and that person would be entitled as a spouse...as a...as a spouse or as a...a child as a benefi-

ciary of a pension benefit that that police officer was entitled to, then that person would no longer be able to receive that pension benefit. And that's very reasonable because if my wife chooses to kill me, hopefully, she would not receive money...my pension benefits, as my surviving spouse. You know, and that's all this bill does. So, it's a very reasonable approach to a very serious problem because everybody wants to...you know, all these people are crazy today, you know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There...there are twelve or thirteen lights on this bill. Senator Collins, your time was up was the reason...I will allow you to come back on 2nd reading. Senator Jones.

SENATOR JONES:

Well,...Mr. President, I...I, too, would ask a question because it's not clear to me...reading the analysis, it says that any person. So, in other words, if I'm already receiving a benefit from my pension system and a person is...kills a police officer, that person who is a active member on retirement will lose his benefit, according to the analysis I have here in front of me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, it's a very brief bill. And I'll read it and I'll put it in the record. On page 1, lines 15 through 18, this is how the bill reads, "None of the benefits provided in this Article shall be paid to any person who is convicted of any felony relating to or arising out of in connection with the wrongful death of a police officer either active or retired." And...and to me, that...it's quite clear that all benefits would be removed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Who are they referring to when you say active or retired?

Who are you referring to?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

It's on line 18 of the police officer who is either active or retired.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

...you know, I'm not opposed to the bill per se, but the...the language of the bill doesn't read as such. I think perhaps what you should do, Ted, is maybe move it back and put an amendment on it to clarify because your intent is one thing but the bill says just the opposite.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Grotberg, for what purpose do you arise?

SENATOR GROTBORG:

Only to clarify. I think the gentleman is entirely correct but you're not saying it right, Ted. You're only amending...the Chicago Police...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...well, Senator Grotberg, you're...you're out of order, I'll get to you in just one second. Senator Netsch.

SENATOR NETSCH:

Thank you. I...the problem I have even accepting the fact that it amends only the Policemen's Article...and I take your word for that because I can't see that from in here. But it is not limited to a circumstance where someone shoots and murders and kills a policeman, it is any wrongful death of a police officer. It could arise out of...of reckless

homicide through an automobile accident or whatever, I mean, there's just no restriction to it at all and yet you're cutting off all the benefits...forever. I...maybe it's defensible to cut off all benefits where there is an actual murder that takes place, although I think even that has some policy question in it. But you are not limited to that as this language is written, Senator Lechowicz, and I think that is what is a matter of concern. You are, in effect, punishing some innocent people through overbroad language.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen. Senator Netsch asked my question, because I was just thinking if I were in an...automobile accident with a policeman and...and he was killed. And while I'm asking, I'd like to ask the sponsor, is this just for the City of Chicago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

Yes, it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall. Further discussion?

SENATOR HALL:

That's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Grothberg.

SENATOR GROTHBERG:

Once more, in simplistic terms, Senator, I...over here we understand it...that it's only if a police officer kills another police officer, only police officers are in that fund. The bill that you're...the chapter you're amending has only police officers...if there was any person in this fund, it's always a fellow policeman, am I correct or am I wrong?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Absolutely correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Bruce. Senator Buzbee.

SENATOR BUZBEE:

Well, Senator, I...I...I could support what your...what your intent is, but I can't support what your bill says because I think Senator Netsch's point is absolutely correct. Now, if it pertains only to police officers, you know, what about a guy that...that...wreckless homicide or...or just an automobile accident and he kills a police officer? Does that mean that he forever and his family forever, is denied the right to...to draw his pension that he has already earned? You know, if...if it's...if it's an intentional act of...of trying to kill the police officer, well, then I could go along with it. But I'm...what I'm saying is I think the language of your bill is just too broad.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Egan.

SENATOR EGAN:

Well, Mr. President and members of the Senate, I...I think there...there is certainly a great deal of confusion in the language, but specifically it provides that the...the person who is denied the benefit must first be convicted of a felony having to do with the wrongful death of a police officer and that includes wreckless homicide. So the fact is, you...you either like it or not. If...if you want to give benefits to a felon who has otherwise...who is not...who is otherwise he is eligible for the pension because he doesn't...because he has...in fact, contributed to the death of a police officer, that's...that can be your philosophy.

I...I think that's entirely the intent of the bill, that if an individual who is found guilty of contributing to the wrongful death of a police officer and has benefits coming from the fund, this bill denies them from getting any benefit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator D'Arco, for a second time.

SENATOR D'ARCO:

Well, I think Senator Egan is correct. I guess wrongful death...wreckless homicide would be included as...as a felony under this provision. Also, I would think that the wife of a police officer would be included under the definition of any person as well as a fellow police officer. So it's any person who receives a benefit. So, it could be the child, it could be the wife, it could be a...a fellow police officer, it could be any person. And the intent, obviously, of the bill is to not allow a person who has been convicted of a felony that has caused the wrongful death of this police officer to benefit from that. We do that in divorces, we provide disclaimers in wills when a wife has her husband done away with or vice a versa, whichever way you like to do it. So, this...I'm not advocating that of course. But...so this bill is...is just another step in that direction to take away the incentive for somebody to commit a felony. And I would ask that we adopt it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Bruce.

SENATOR BRUCE:

Well, I think if...if it were the way Senator D'Arco explained it, this would be a fine bill, but I wish that anyone who has a question would read the bill. And it's very clear that any person who is convicted of a felony relating to or arising out in connection with the wrongful death of a

police officer, either active or retired, is denied benefits. Now, if you and your partner are out driving and you have had a drink and you get convicted, he...you are both killed in the automobile accident and the estate brings action against you and you are convicted of any felony relating from that, your widow is denied benefit. If you and your partner come in late at night and he surprises you as a joke, comes in to pick you up on the midnight shift and you shoot him thinking he's a burglar, your wife and family when you retire are denied benefits. Now if you two are out on a hunting trip in Canada and you have had a couple of beers or whatever, and he comes over the top of the hill and you happen to blow his head off accidentally and the Canadian authorities or the American authorities happen to take you in on an involuntary manslaughter felony, everybody loses their benefits. This is not service related. It is not related to the fact that you and he work together. It is not related to family. It says any person who causes the death of a police officer loses his benefits, accidental or not. And I don't think that's what the sponsor means to say, but the clear language is that automobile accidents, accidental shootings, accidental burglaries where you think someone is breaking in, all those instances, the guy loses his benefits forever and I don't think we want to do that. Maybe you do in Chicago, but I would prefer not to implement this kind of philosophy.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Lemke.

SENATOR LEMKE:

Senator Bruce, this, I understand, is what we do now with legislators and with government...governors and everybody else. This is what the Kerner litigation was about. When he lost his pension benefits because of committing a...a crime, we denied his wife her benefits as a third-party beneficiary. We do this now in the State of Illinois. We do this now if

you, as a legislator, are convicted. I can remember back sometime when a Representative was and we were trying to help his wife and young children and we had a similar bill to try to give them the benefits. This Senate, when I was here, denied that right to that widow and those orphans because the husband committed a crime and he lost his pension benefits. This denied the third-party beneficiary. Now if we're going to do it for legislators and we're going to do it for governors and other elected officials in the State under our system, then we should have it uniform throughout the State. If we're not going to have it uniform...throughout the State, Senator Bruce, then I would suggest that we include legislators into this bill and public officials and you, Senator Bruce, were one of the guys that led the charge against the bill, if I recall about six or eight years ago when Senator Romano was here and tried to explain this to you. You denied this on the basis of this and you denied Helena Surmack Kerner her rights to receive her benefit. Fortunately, the litigation never got through court because Helena Surmack Kerner died before the governor...the ex-governor did. And you and your crew from downstate denied this to Otto Kerner and I think it was Senator Johns who tried to name a building and we also denied it. So, if we're going to treat governors, legislators and everybody else, then I would suggest that we treat everybody the same.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there anybody that seeks recognition for the first time? If not, Senator Lechowicz, for the second time.

SENATOR LECHOWICZ:

No, I really...I'm not rising for the second time. I just initially introduced and...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, I'm...I'm sorry, I thought it was Senator D'Arco's bill.

SENATOR LECHOWICZ:

No, it's mine.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'm sorry. Senator Bruce.

SENATOR LECHOWICZ:

No, wait a minute. Just...just wait a minute.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There was no question, Senator. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, is that I'm going...it's been brought to my attention the broadness of this bill, and I think that with the proper amendment with a limited scope, and I'd like to have leave to take the bill out of the record with the intention of amending it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Leave? Leave is granted. Take it out of the record. For what purpose does Senator Bruce arise?

SENATOR BRUCE:

Well, I've been here a long time but I don't ever remember attacking the widow of Otto Kerner, and if someone can recall that to my mind, I'd be happy to do so. When Senator Romano had that bill, I think if you'll look at the roll call I was one of those who supported her having that. If you will also look at the statutory authority under which we derive our pensions, Representative Craig, who was also convicted in a later incident, his rights to his widow were restored. Those relating to...we didn't deny anyone benefits. Those...those are related directly to my or your action as a legislator. If you commit a felonious act related to your job as a legislator or a public official, your benefits are denied. That action you take, that is an action that you did, that is an action that...Governor Kerner took that led to his being denied benefits. So we should keep the record clear, we're all subject, if, in fact, our

public acts...relate to felonious conduct, then we will lose our pensions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

House Bill 1430...26, Senator Netsch. House Bill 1433, Senator Joyce. Senator Netsch. 1426, do you wish it to be called? Oh, well, Senator...Senator Netsch has returned and wishes to have House Bill 1426 called. You did not answer the original call, Senator. On the Order of House Bills 3rd Reading, House Bill 1426. Read the bill, Mr. Secretary.

END OF REEL

REEL #3

SECRETARY:

...1426.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I think the easiest way to explain this bill is to read the one sentence...oh, sentence and a half that it provides. "In the instance of a cooperative where a homestead exemption has been granted, the cooperative association or its management shall credit the savings resulting from that exemption only to the apportioned tax liability of the owner who qualified for the exemption." Then, any person who willfully refuses to so credit is guilty of a Class B Misdemeanor...Class A Misdemeanor. The whole point is that the...the homestead exemption is available to a person who is...who has applied and is eligible for it. The savings should enure to the benefit of that person and not to the coop. as a whole. I would be happy to answer questions, and solicit your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, in the absence of Senator Etheredge, our spokesman, even though this does give some people some tax breaks, I'm in favor of it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, the question is, shall House Bill 1426 pass. Senator Netsch.

SENATOR NETSCH:

You shouldn't have done that, Senator DeAngelis. It does not give anyone a tax break that they...that does not already exist. It just says that it shall be fairly apportioned to the person who is entitled to it by laws passed long before either you or I came on the scene.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 1426 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 1426 having received the constitutional majority is declared passed. House Bill 1433, Senator Jeremiah Joyce. Read the bill, Mr. Secretary. No, take it out of the record. House Bill 1437, Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1437.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. This is a...a bill that merely amends the Beauty Culture Act to authorize beauty culturists to practice in nursing homes and hospitals without those facilities having a beauty shop license, and also allows beauty operators to cut hair. It is supported by the beauty culture industry and Department of Registration-Education, and I know of no opposition to it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Darrow.

SENATOR DARROW:

...would the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR DARROW:

Did the barbers take a position on this legislation?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Yes, they did, and they said it was alright.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 1437 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1437 having received the constitutional majority is declared passed. House Bill 1444, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1444.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill provides that time served as an administrative director of the circuit court would be given...a person under the Judicial Article would be given service credit for time served in that capacity for up to six years. It also provides that he must be serving as a judge for the last six years in order for that provision to be applicable.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Grothberg.

SENATOR GROTHBERG:

I presume it's a standard question. Thank you, Mr.

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2nd Reading

President. Who are we helping, Senator?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

We are not necessarily helping anyone. We are helping...oh, I got it, the kids. I don't know...what do I know...I mean...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBORG:

Well,...that...I...as long as I can't get an answer, I will just speak for a moment to...to...it's plain that somewhere there's a judge for six years that wants to transfer some time after having been an administrative employee of the courts and he is now a judge, is that correct, sir?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

He was an administrative director of the circuit court.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBORG:

We'll never get his name but we know the game now, okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 1444 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 20, 3 voting Present. House Bill 1444 having received the constitutional majority is declared passed. House Bill 1450, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1450.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LENKE:

This is a bill from the Illinois Bar Association and Chicago Bar Association in regards to changing the word "spouse" to "party," and also leaving at the discretion of the court as...as to requiring costs and fees in regards to future maintenance and the enforcement thereof of any judgement. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Bloom.

SENATOR BLOOM:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR BLOOM:

The synopsis says that the court may be...the court can order you in the dissolution then to pay future attorneys fees, is that correct? Right now, the situation is where a party or an ex-spouse wants an increase in child support and so on and so forth, the court determines from the circumstances of the proceeding who pays the fees. Now, in the decree of dissolution it says, okay, you...the marriage is now dissolved and here's child support, and by the way, if you come in at any future date, one of the parties has to pick up the fees irregardless of their circumstances at the future date?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

This is at the discretion of the judge, and the reason

for this provision, Senator Bloom, is we're trying to improve the...collection of child support in Illinois, and this method will help to improve that. What we have is a problem now is the...the spouse that has custody of the children and the other spouse is supposed to pay for that...the maintenance of the children, they don't pay, she has to go out and get a lawyer and a lot of times the person cannot afford a lawyer. This way, the problem is cleaned up prior to this and it's easier for that particular person to get an attorney to handle the matter because he knows who's going to pay. He doesn't have to get in the hassle in the court. I think this bill will help our system, and it's only at the discretion of the judge, which he could do after the...after the rule is filed anyhow. I think it's a good bill. I mean, this puts all the cards on the table when the marriage is dissolved so everybody knows where you're at.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom has given up. Senator Egan.

SENATOR EGAN:

Well, thank you, Mr. President and members of the Senate. I don't think it puts anything on the table. It...it puts it all in the storeroom, Senator Lemke. I can't disagree with you more heartily. What you're doing...and Representative Jaffe, incidentally, hasn't brought this to my attention, but what you're doing is opening up the entire dissolution of marriage practice to a, I think, a fraternity to protect now even the future which will, in effect, further and promote the dissolution of marriage. I...this is rather inconsistent from your...your past, and I'm surprised. But I...I must take difference from you and I must suggest that what you're doing here is going in the wrong direction, and I most heartily oppose the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Well, this bill seems to change fairly dramatically the way we are going to handle the question of fees in divorce and dissolution actions. Right now, if the...wife cannot...former wife cannot get support payments, she goes back into court, files a petition and she petitions not only for the back support but she asks for attorney's fees and any other things that the court may wish to tack on. I don't know what future fees would be; I don't know how any judge would know what future fees are going to be. Is he going to escrow a thousand dollars? Escrow ten thousand dollars? Is he going to make the...the husband in this case, I would say in ninety percent of the cases, pay an extra fifty dollars a month in case he doesn't pay his support? I don't know how this is administered. I have...I have no idea how people can be required to pay potential future obligations, and that's what this bill mandates. I don't think a judge is going to use it, the present system is working. I don't know of anybody that presently says that they need to...to escrow my money or someone else's money to...to pay future attorney's fees...potential future attorney's fees.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Well, it's been a long time since I've practiced divorce law, but this seems a little...little far-fetched to me that...that you're going to tell a judge that he can assign right now who will pay any future fees on down the road twenty years from now. There's a rather famous individual in our State who...his occupation is such that...I've read about this individual several times. His occupation is such that his income tends to jump considerably from time to time whenever he writes a new book, and every time he gets a new...every time he gets a new book's income coming in, his

former wife goes back to court and gets more of his money even though the marriage has been dissolved for several years. Now, why should a judge be able to make those kinds of assignments? I don't think this is a very good idea at all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, with exception I guess to Senator Buzbee, I think everybody who has spoke on this bill is a lawyer and all...they all pussyfooted around it. Let's put it on the table, this is a trial lawyers' bill for the lawyers. It's just a rip, it ain't for widows or little children, it's for lawyers. In fact, I think you could argue it's...it probably hurts divorced women and their children 'cause it says the lawyer's fees are more important than the support. The lawyer's fees are what we're going to worry about. It doesn't matter whether the kids got shoes on, let's make sure the lawyer gets paid. Come on, guys, I know we all got to make a living but let's have a little decency in that profession.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President and members of the Assembly. Personally, I don't think this is a lawyer's bill and...and I'm not that hepped up on...on lawyer's bills normally. What has been happening...and if you talk to the divorced women who are not getting their child support, what has been happening is that the men refuse to pay the child support, they go to their lawyer, the lawyer says, well, you know, for a hundred dollars I'll go after the guy. He goes after him, the father maybe pays a three or four month bill, he forgets to pay again, she goes to the attorney again and what is

happening is that time after time after time this has...this has been going on. The women finally get disgusted and say the heck with it, I'll go on welfare or I'll do it myself. This is a good bill. I think you ought to seriously think about the women who have been put in that kind of a situation and you ought to seriously realize that this is not a...a...a trial lawyers' bill, but it's a...it's a bill for the women who have...are supposed to be getting money under a court order and are not. Two percent of our men, two percent of our men right now are paying the child support that our women are supposed to be getting, not for themselves but for the children. A...a colleague mentioned that there are not shoes to be put on the children's feet because of this bill, that's a lot of hog wash. This will put the shoes where they belong, not on some tootsie's foot but on the children's feet, and I think it's a good bill and I think we ought to support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator Pawell, your speech has inspired some more lights. We have Senator...Senator Welch, Senator Geo-Karis, Senator Collins and Senator Marovitz. Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. You know, I...I'm going to vote No on this, but when one of the Senators over here starts complaining every time any bill has anything to do with lawyers, I think that he does quite a disservice. Now, we over here who are interested in utility bills are always being called demagogues because we support a public view on those bills. But whenever there is something against a lawyer, there is always somebody raising over here and say we're raising money for lawyers. If you would think about this bill and if you would think about what some lawyers do, a lot of us represent clients and don't get paid, a lot of us take people and get paid minimal amounts and represent them in

court. The purpose of this bill, which probably hasn't been explained adequately, is the appellate court has ruled that on appeals you cannot get perspective attorney's fees to handle the appeal so, therefore, cases in which a person cannot afford fees are not appealed, so they end up losing on appeal. That is the purpose of the bill, it's not for all this other...this other bit. And I think that instead of raising every time and complaining about lawyers, I think that is the demagoguery in this...in this Chamber, not just those of us who are opposed to utility bills. So, I think maybe you should not be so critical until you walk a mile in one of someone else's shoes here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, since I'm one of the hated breed of lawyers around here from these seed lawyers who'd like to be are not lawyers, let me tell you that Senator Fawell's comments are absolutely right. Personally, I don't get to handle these things; but, anyway, I can tell you that there's a need for it. It's either that or these women going on public aid for help, which costs the taxpayers more money, if they don't have adequate counsel, and if they're going to get adequate counsel, we should ensure the fact that they can get adequate...counsel in passing this bill; otherwise, it is you and I, the taxpayers, are going to foot the bill in the long-run.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I'm...I have the bill here now before me and I was trying to get some clarification. I am not reading it and I have not

read from the synopsis here that it was dealing only with child support. I think last year or year before last we passed a bill out of here, Senator Fawell, that would allow the private attorneys with the state's attorney's office to go out and collect unpaid child support from these people at a percentage, and I...I remember that bill very distinctly because some of us considered it at that time as a lawyer, bounty hunter bill...hunter bill. So, I...I don't read this to be in cases where you're out...the parent...mother would have to take the father in for nonpayment of child support, and correct me if I'm wrong.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

Senator Collins, what this bill does is...it's true that we passed that legislation. What that legislation allows for attorney's fees after there's a...a past-due payment, okay? This bill sets forth the procedures before that. In other words, it says who's going to get the lawyer's fees. What we have talked about...and contrary to Senator Schaffer and Senator Buzbee, the people they're talking about their...their ex-spouse has no trouble in getting an attorney, 'cause that...that attorney that represents anybody that's wealthy and they know that the ex-husband or the spouse has money, you can...you can get a lawyer, I'll assure you. But if you're a little lady that has four kids and you're sitting in a one-room apartment and your kids can't buy milk, you can't get a lawyer, the lawyer you had before tells you, I'm out of the case, I got your divorce, go see public aid. Okay, you wait around, the...the arrearage comes, when in the meantime what happens is the kids aren't eating, she's not getting her money, okay? And if we put this provision in, it clarifies that problem in the court action to allow lawyers to get their lawyer's fees, and they

know they're...who's going to pay for them and they will get involved in the case. Right now, lawyers, notoriously divorce lawyers, which I don't practice 'cause I don't believe in it, and if I do practice divorce though, it's always for this little lady that has a husband...be the arrearage in payments and all these kids and she's living on like forty dollars a week 'cause she's cleaning somebody's house, and she can't get a lawyer; and I usually end up going in a lot of times...a lot of times I have to go around, we take up a collection for the court costs to go in and collect this money for these people so they can get the payments. This bill is a good bill. This spells out right at the time there's a marriage and dissolution, it's right in the agreement who's going to pay for future lawyer's fees. And I can tell you if this provision is in there, more people that are downtrodden and low will get...be able to get their...their...their lawyer to go into court and file a rule to show cause why they're in violation of their...that court decree. I think this...this is what this does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I...I have a question here. I've been trying to figure this out for several years. A young lady in my district that her husband works for the Department of Transportation, she has three children, he'll pay one payment and then maybe not pay any for three or four months. She goes back to the lawyer and he says, well, you know, another hundred dollars I'll file another motion in court. Is it true that we...that every two or three months you have to go back and refile if someone is delinquent in their payment for their children?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LENKE:

Yeah, what we do is...that's true, you have to always go in for a rule to show cause why you're...why...why the person shouldn't be held in contempt. That's what you go in every time to do. You go in to show...and the guy has got to come in and answer. That takes about sixty days, I mean, in...in Cook County is takes about sixty days before that particular...it's usually the...the guy that's got the money that can hire the lawyer, it's usually the person that has custody of the children that doesn't have the money. And this bill just sets out the terms before there is a marriage and dissolution who's going to pay these fees. And I think it will...will...will stimulate the...the deadbeat father to pay the payments. This is my...this is what this bill is going to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

One other question. How come it is that someone on the public payroll...how come you can't garnishee their wages or have a checkoff for child support monthly from that public employee's salary?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lenke.

SENATOR LENKE:

We passed 1333 which is the mandatory income assignment bill which has been amended. I think it's coming back here, I haven't looked at the amendments that the House put on it. This would allow...when there is a...a nonpayment for the people to go into court and have a mandatory income assignment against the person's wages or income, any type of income, and that would collect it. The problem we're dealing with now are the...the people that will not be covered. This...that...that...this...that bill does not...does not go

back, it starts from the day it's signed. And this is a bill that will correct the system. And contrary to what you heard here that the system is working well, Illinois ranks somewhere around forty-eighth in the...collection and the enforcement of child support. We are the...one of the lowest states in the country out of the fifty in collecting child support. Michigan and Wisconsin do great jobs, but Illinois for some reason, we're down at the bottom. We're still in the...the dark ages of doing these things. In Michigan they have a system which they call "a friend of the court." The court pays for the lawyer, the court...the friend of the court goes in and he automatically puts a brick against the guys' backs or issues a rule to show cause, he goes to the sheriff and there's no hearing, they just drag the guy in. And the second time he goes in, he goes to jail. And...but we have found by going to jail doesn't help pay the bills or doesn't help the State collect their money. And this is a good bill. I mean, I...I am not a great thing to pass legislation to further divorce. This will not further divorce, this will help us collect some of that outstanding money we have where...where these deadbeats don't pay for the support of their children.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Grothberg.

SENATOR GROTHBERG

Thank you, Mr. President. Not to delay the proceedings, but Senator Lemke happens to be right for once. Not one of these...there are a series of these bills. We on the Public Aid Advisory Commission...the Legislative Public Aid Advisory Commission held a conference, we had national speakers, experienced factors from every state in the union reported on what to do about public aid and general assistance on families and kids that are being short-shifted, and it was a tremendously meaningful and learning experience for me, that

perhaps the thrust of this is to get people off the dole as much as the...there's bound to be some rip-offs in it, and maybe some of the legal criticism that...that the lawyers have been taking is justified at that level but certainly not for the taxpayers and the kids that are going to be helped and the widow...not the widows, the divorcees in particular, and I presume it could be a widow, of some access to the system through the legal department and...that...we put a report on your desk along with all of that other paper and I'm sure nobody's read it, but this thing has been researched pretty good, sports fans, and it ain't all that bad. Let's vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Schaffer, for the second time.

SENATOR SCHAPPER:

I apologize to any of the honest members of the legal profession who my remarks might have offended. They were certainly not aimed at them. I would point out, however, that this bill as it's before us would allow a court to order a...a spouse with the children, male or female, by the way, let's not be sexists, to prepay a legal fee of say, five thousand dollars, and then that person could make their payments for twenty years and never miss a payment and never get a dime back. That's what this bill says. Now, let me explain why this type of logic frustrates me. We have a problem, we have some deadbeats not paying their share, not taking care of their children. What does the Trial Lawyers' Association come up with? Do they come up with a bill with...that toughens the penalty for nonpayment? Do they come up with a bill to garnishee wages? Do they come up with a way to get the money to the wife and the children...pardon me, spouse and children? No. They come up with a way to see that the lawyer gets paid. That's the logic that bothers me.

And Senator Walsh and all...Welch, pardon me, Walsh is gone, Welch has hair. I always have believed in trying to walk a mile in the other man's moccasins, but in this case it'd be more like driving in the...a mile in their Mercedes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Ladies and Gentlemen, we...we have now four additional speakers. Senator Bruce.

SENATOR BRUCE:

Senator Grothberg, just to...just to respond to your comments. You are constructing with this bill the single largest and most expensive way of collecting money for public aid recipients. If man were asked to say how can we get more money for public aid recipients, and the answer was, we ought to pay attorneys more, I think they would be hooted out of this Chamber. The answer to the problem that you say,...Senator, is to increase those enforcement attorneys within the Department of Public Aid. And for every ten thousand of those guys you put on the payroll, you...you won't be able to afford one of these guys out in private industry. So, if you're really trying to save the...taxpayers a few bucks, hire about five more guys down in the Public Aid Department, or ten, or twenty. It will be one one-thousandths of what this bill is going to cost across the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Davidson has moved the previous question. If you'll hold that, "Doc", we have one additional speaker. Is there anyone else seeking recognition? Senator Lenke may close.

SENATOR LENKE:

This bill is a great bill to collect this thing. And, Senator Bruce, I want to tell you something, the hiring of lawyers to enforce things are great, but when the spouse gets behind five thousand dollars or six thousand dollars, Public

HB 1451
3rd Reading

Aid is not going to collect that money. It's a proven fact if the guy has a hard time paying twenty-five dollars or forty dollars a week, if you add another ten or fifteen, he still isn't going to pay it. We...we trying to get him current, that's what the enforcement proceedings are. This bill stops people from running behind in their payments because they know who the lawyer's fees are and they're not...these people will not go to Public Aid, they'll go back to the same lawyer and that lawyer will handle the case. This bill is a result of a study and a thing by the...and a...a study made by the Supreme Court where the Supreme Court is thinking about having divorce lawyers once they file a divorce, always being in the case until they dismiss them, and they might do...do that by court rule. This bill is trying to prevent that from happening, because I think then initially a lot of people will not be able to get low divorce and we'll have to have public defenders and we'll have to pay for them. This is a good bill. This will collect money in the State of Illinois. And we're not saying anything...we have two parties when they get a divorce, and they can agree on future attorney's fees and the judge in his discretion can agree who's going to pay it. They know...they know how to...we're not going to have a...a misuse of this. I think this is a good bill and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1450 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 27, 3 voting Present. House Bill 1450 having failed to receive the required constitutional majority is declared lost. 1451, Senator Lenke. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1451.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This is another bill by the Chicago Bar and the Illinois Bar which amends the Illinois Marriage and Dissolution Act to provide that unless specifically directed or remanded that the court shall not consider an increase or decrease in the value of marital or nonmarital property occurring since the assessment of such property at the original trial or hearing. This bill is a clarification bill in regards to a matter that occurred in the court as to what is marital property and what isn't. I think it's a good bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Egan.

SENATOR EGAN:

...I...I...if I may ask a question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Egan.

SENATOR EGAN:

What is the value of this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This bill, Senator Egan, grew out of the court decision where there was a...nonmarital property before. A person had like a twenty-flat or a thirty-flat apartment building and someplace along the line...he got married and then he put in...general maintenance and they have held that the general maintenance increased the value of the building and, therefore, there wasn't...it was...was marital property. What

this bill does is to...is to clarify that that was not our intent when we passed the Marriage and Dissolution Act to...as to what was marital property and what wasn't. And this...and then this bill says there has to be a substantial contribution by the other spouse in order for it to be marital.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Egan.

SENATOR EGAN:

Well, I...I'm not sure that you've answered the question, but...it appears to me that what you're doing is taking the prerogative away from the reviewing court to direct the lower court on remand to do this specific thing, unless it is specifically ordered to review the value, then you are denying the reviewing court the...the...the reviewing court then would have to say in every case that you will review the value or by law the lower court could not do that. I suppose that doesn't take the total prerogative away, but the...I guess the question then is, why not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Well, they felt that this...that the trial court should do the...should be remanded to do this and...and not the reviewing court, in regards to marital and nonmarital property.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

I think perhaps I might be able to clarify this thing. I rise in support of the legislation. What this bill says, I think, and, Senator Lemke, correct me if I'm wrong, and, Senator Egan, if this is not the way you understand it, correct me if I'm wrong. I believe that at the time of trial

when property, be it marital or nonmarital, is assessed and then the case goes up on appeals obviously there's a time lag. When the appellate court hears that case and remands it, not reverses but remands it, the trial court should still base that assessment of property as it was at the time the case was tried and not penalize anybody or allow anybody to be advantaged because of that time period and an increased in value over when the case was, in fact, tried. It is just saying...all this bill is clarifying is that the property should be assessed on a remand from the appellate court as it was at the time of trial, not...nobody should be advantaged or disadvantaged because of any increase or decrease as a result of the time lag from the course of appeals. And I don't see anything wrong with that. The case should be determined on its merits at the time of trial, and I rise in support of this bill. It is not a lawyer's bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. It just seems to me that the court would have a better understanding of the...of the case at the current value. I think that they should consistently just go along and...and if it's going to take a long time in its appeal process, they know how to make the decisions much better if they know what the value of the property is or...or belongings or anything else. And I just think you can...to take this away from them, it seems to me like you're going in the wrong direction and you're just...you're...some of these cases take quite a long time to determine and you could end up with a bad decision. So, I think it's a bad bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR EGAN:

Well, I'm sorry, Mr. President. I really hadn't finished. The...the...my question remains, Senator Marovitz and Senator Lenke, if there is no final...decision, if there's no final...end to the...no final order in the case that it is not appealable and it is...and you do get a final order, and during that time there's an increase in the value of the property, there is no final disposition of the case until the appellate court remands it and the lower court again reviews the value. And...my question simply is, why not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I'm sorry to rise for a second time, but let me tell you why not. Because if this were to be the case, then everybody would appeal their case and have it lag as long as possible, because during that lag time the property is obviously going to increase in the vast majority of cases, and if they based it on the increase, then the appealing party would always be advantaged by a long lag period.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan.

SENATOR EGAN:

Alright. But the...the...there is no final disposition in the case and why should then one of the parties be advantaged by the delay and not the other. The other would be disadvantaged by the delay. The court should again review the...the value of the property before its final disposition, and this is only in cases where an appeal obviously is to the...is...is...has reversed or if not reversed, certainly remanded for another trial; in other words, a case only that is not finally disposed of. So, you are disadvantaging one of the parties in this...with this litigation...this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan, have you concluded? Senator Marovitz, for a second time.

SENATOR MAROVITZ:

Well, I...I would just reiterate that the fact is, when a case is appealed, it's based on the facts that existed at the time the case was tried, and if somebody felt that they were going to be advantaged because we were going to take a look at the assessment value of property during the...intervening period, it would be to anybody's advantage to have...to have a case appealed and stalled as long as possible so that the value of that property could go up and then he could say, well, it may only have been fifty thousand dollars at the time of the trial but now we've delayed six months, or we've delayed a year, or we've delayed two years, and now it's seventy-five thousand dollars. So, forget that trial, forget that fifty thousand dollars that it was valued at, I delayed this thing for two years, let's value it the way it is now. You talk about clogging up courts and...and...and muddying up issues, this is a...this is...this bill will prevent that, it will clarify that, and it is a very good and equitable bill. It will make sure that issues are determined on the basis of what those issues were at the time of trial, and that is what our judicial system is all about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Lenke may close.

SENATOR LENKE:

I ask for a favorable vote. I think the...the trial court is better equipped as to what the value of a property is because they have heard the evidence, they have spoke to the witness. Not being in the divorce business, I...I can tell you that in the...in any other field of law that I am in, cases have always been remanded down to the trial court to determine values and percentages and so forth because they

have heard the witnesses, they have spoke to them, they have reviewed the evidence, where the reviewing court only reads the transcripts. I think this is a good bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1451 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 7, 2 voting Present. House Bill 1451 having received the required constitutional majority is declared passed. Top of page 18, 1462, Senator Schaffer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1462.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAPPER:

Mr. President and members of the Senate, this is a bill proposed by the Illinois Medical Society and supported by the Illinois Department of Registration and Education, that it would provide a visiting professor permit to faculty members of a school in Illinois who is licensed at home as a doctor, osteopath or chiropractor. We have professors in from other states, I guess even other parts of the world, to teach medicine in this State on a temporary basis, is a one-year license with one year beyond that, and this would allow them to...an unlimited fashion, in addition to teaching theory, practice their trade at the school or facilities...medical facilities associated with the college. I think it's very narrowly drawn. I'm unaware of any opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there any discussion? If

not, the question is, shall House Bill 1462 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. House Bill 1462 having received the required constitutional majority is declared passed. 1467, Senator Lemke. Read the bill, Mr. Secretary, please.

SECRETARY:

(Machine cutoff)...Bill 1467.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

First of all, I'd like to have leave to add Senator Vadalabene as a hyphenated cosponsor. It was supposed to be. It should be Lemke-...Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there leave to have Senator Vadalabene added as a hyphenated cosponsor? Leave is granted. Senator...Senator Lemke.

SENATOR LEMKE:

What this does is requires that patient care funds be transmitted to the State Treasurer and...and also allows the veteran's home real property be leased with...with the proceeds deposited in the Veterans' Home Fund. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 1467 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55,...the

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Ayes are 57, the Nays are none, none voting Present. House Bill 1467 having received the required constitutional majority is declared passed. 1470 is on recall. 1473, Senator Sangmeister. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1473.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. If you recall, it was about a year ago when we went through the unitary tax problem that we had and the business community was somewhat split over it. One of the reasons that I'm handling this bill is I was on the other side of the...of the split at that time representing Caterpillar and...and other companies in that category, and a lot of our oil companies and those that were in the other category somewhat got hurt over that decision. What this bill will do, if you're familiar with the...the...the formula to...to determine the amount of income earned in Illinois, corporations doing business in more than one state are required to apportion their total income to Illinois on the basis of three factors: property, payroll and sales. And, of course, what this bill will do is those corporations whose payroll factor exceeds two hundred and fifty percent of the average of its property and sales factors may elect to exclude the payroll factor. Actually, in the bill that we passed the last time we...it allows the Department of Revenue to do that where they feel there is a hardship situation; but in this case, we feel this should be a prerogative that would be given to the employer, and also, he cannot jockey around on this. Once he decides this is the method he's going to take, it's going to have to stick there

for ten years, which I think makes it fair. And would ask your support of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Grotberg.

SENATOR GROTEBERG:

Thank you, Mr. President and fellow members. As an active participant in last year's go around on this subject, I stand in favor of this mostly because this will ensure the fact that the Illinois based large employers that are involved in the unitary concept will be able to utilize the fact of their high employment, the tens of thousands of employees of some of our major companies, that because of the inequities of the last go around, or even considering leaving the State of Illinois, this allows...it's almost an advantage to have a large employed group in the State of Illinois, and for that reason, I stand in support of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I rise in opposition to House Bill 1473 and would just suggest, here we go again. I would point out that this is not just our usual special interest legislation, but this is designed almost entirely for one company, Standard Oil. Now, you may be willing to give away four million dollars of tax revenues in order to make Standard Oil happily, and if so, that certainly is your prerogative. I, for one, am not. What we have here is one of those who was a loser in the famous combined apportionment unitary battle last year who has now come back and said, I want the code rewritten to take care of my problem to reduce my taxation; and so they say if the payroll factor is over two hundred and fifty percent, you just exclude the payroll factor. And next year another company will find that if the sales factor is hurting them, and so they will come in and

say, okay, if the sales factor is more than two hundred and fifty percent or a hundred and fifty percent, then we have the option to exclude that. And the next year the property factor, and pretty soon we won't have any of the three factors left and we will not have any basis for apportioning multi-State income and we will have no corporate income tax, and I suspect that's exactly where we are headed. There are some people who think that is a desirable result. I would much rather do it up front than by having the code just continuously rewritten to take care of special interest problems of particular companies who lose out in a bigger battle. This will save Standard Oil, as I understand it, about four million dollars, which means it will cost our tax base that. But one problem is that it may not be just this one company for whom it is being written right now. It very likely is going to end up benefitting others and again, we are going to start...we are going to continue, not start, but continue to erode the tax base of the State and write our tax laws in terms of particular interests. It is terrible tax policy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. I rise in support. Senator Netsch, you're right, this company was the loser. But I don't think...I think we ought to know it doesn't make them a winner. What it does is just keeps them from getting blown out of the water.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Well, the thing I would point out to you that not only will we probably in years to come want to crank in or in some way modify one of the other three factors in the formula, but I think the time will come when someone will introduce some

legislation that says, well, two hundred and fifty percent is a little unreasonable, maybe we ought to drop it down to two hundred percent, or there'll be the hundred and fifty percent bill. I recognize that there is a significant problem here for one company, but I think Chairman Netsch is certainly right on target when she points out that this is rather special interest legislation. I feel sorry for the company that did get zapped under that particular action that we took last year, but I just question why we are rewriting our whole Tax Code in this one area basically to accommodate one company.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Egan.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. I rise in support of the legislation. I don't think it's so...such terrible taxing policy, Senator Netsch, to send a great number of thousands of employees to another State. Let's keep them here, I think that's a better taxing policy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. Well, I was going to vote No on this bill, but upon hearing that unless we pass this, Standard Oil will get blown out of the water, gee, I hate to see...the world without Standard Oil, so I guess, Senator DeAngelis, you've changed my mind.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch, for a second time.

SENATOR NETSCH:

All I want to know is, when Standard Oil leaves, are they going to take their building with them?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, I think we've heard enough argument on this. I think everybody is looking for a roll call, and let's have it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The question is, shall House Bill 1473 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 8, 2 voting Present. House Bill 1473 having received the required constitutional majority is declared passed. 1486, Senator Lemke. Senator Lemke, 1486. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1486.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LENKE:

What this does is amends the Vehicle Code. Provides that liability bond posted by the owners for rent...motor vehicles shall state that the owner will pay any final judgement against the customer and the owner of the...of the motor vehicle or any person operating such motor vehicle with the customer and the owner's consent. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Sommer.

SENATOR SOMMER:

Huh? My Calendar says something about township road rates and doesn't say that the...1486 is up on the board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Lemke, could you address your remarks to 1486, please.

SENATOR LEMKE:

...it improves the increase in road tax rated at an annual town meeting or special town meeting calling for the purpose prior to the enactment of Public Act 81-1489, tax raises, as provided for in Chapter 1216504 could be increased by the electors in an annual town meeting or a special town meeting calling for that purpose. Because the town meeting was referred to in that paragraph as the annual township or road district election, it was...it was made subject to the provisions of the General Election Code election laws, Public Act 81-1489. This request is that such increases be approved at either the annual or special town meeting process or at a general election at the discretion of the road district authority. This procedure is similar to the provisions in Public Act 82-11.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President, simply to mention a couple of points. I...I think this may be a step in the right direction, I'm not sure, but it is a departure from what has been done in past. When townships wanted to raise taxes for the purpose of road purposes, there was always a referendum election held. And what the sponsor is proposing in this case is that they change that and simply have a meeting. Now, as I read the bill it also provides that in order to have such a meeting you must have a petition signed by not less than ten percent of the registered voters in that district, and they raised that from the current five percent to ten percent. But just so everybody knows what we're voting on here, this is taxation without the usual referendum procedures, and this may or may not be a good idea, I'm not sure, but I simply want to bring it to everybody's attention.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise in support of this bill and would like to tell you that it passed out of committee unanimously with bipartisan support. The...to answer Senator Schuneman...the only reason the language is as it is now is...this is...as your understanding was, was prior to the enactment of Public Act 81-1489, and as the bill is now written, this is...this is a good way to address the problem that exists, and with the changes in the election law and in township referendums and amendments this is a...this is a perfectly reasonable procedure, and I would suggest that it is a good bill and that we should support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke may close.

SENATOR LEMKE:

I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1486 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 12, none voting Present. House Bill 1486 having received the required constitutional majority is declared passed. 1492, Senator Maitland. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1492.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President and Ladies and

Gentlemen of the Senate. House Bill 1492 in its amended form mandates that LPN candidates take pharmacology course in nursing school. It does not entitle them in any way to administer it as...medication but it does give them a better understanding of pharmacology, and I think in its amended form it's a...it's a good bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 1492 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1492 having received the required constitutional majority is declared passed. 1495, Senator Geo-Karis. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1495.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Yeah, Mr. President and Ladies and Gentlemen of the Senate, this bill was amended at the request of the Dangerous Drug Commission. It provides two main things. Provides that the addict...an addict is...an addict is not entitled to elect treatment under the Act where he is currently charged with a Class II or greater felony and has previously been admitted to a treatment program under the special pretrial diversion provisions of the Act. And the second main provision is that...specifically, the bill as amended removes the provisions from the...Narcotics Profits...Forfeiture Act which requires that monies forfeited and proceeds received in

prosecutions pursuant to the Act be first applied to administrative expenses and to reimburse the General Revenue Fund for the funding of metropolitan enforcement groups before being disbursed to the relevant prosecuting police authorities as their share of the...the forfeited booty. And I urge the successful passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 1495 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 1495 having received the required constitutional majority is declared passed. 1500, Senator Jones. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1500.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. This is similar...this bill is identical to House...Senate Bill 840 which passed out of here and it passed the House as well. It requires the director of insurance to keep demographics on...records on those persons taking the broker's exam, and I move its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 1500 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

wish? Take the record. On that question, the Ayes are 54, the Nays are 2, none voting Present. House Bill 1500 having received the required constitutional majority is declared passed. 1503, Senator Buzbee. Read the bill, Mr. Secretary, please.

END OF REEL

REEL #4

SECRETARY:

House Bill 1503.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This...House Bill 1503 authorizes the State Board of Education to issue compliance waivers of one year to school districts which fail to conform to physical education requirements set by the Illinois School Code. Such waivers can only be granted. The districts can substantiate potential compliance within three years. Provides the school district may not be granted a waiver for more than three consecutive years. The present State law is silent on the question of State Board's authority to grant physical education waivers. Apparently, only...that's the only compliance waiver the SBE grants is in regard to physical education. The State Board of Education is supportive of this legislation, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 1503 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. House Bill 1503 having received the required constitutional majority is declared passed. 1504, Senator Egan. Read the bill, Mr. Secretary, please.

SECRETARY:

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House Bill 1504.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. The...the current law...does not allow for a reversionary annuitant to restore his pension back to the same level before he choosed to take a reversionary annuity, and this allows that provision. The downstate teachers have it, the university teachers have it, and I know of no opposition. I ask your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 1504 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 3, 1 voting Present. House Bill 1504 having received the required constitutional majority is declared passed. Top of page 19, 1520, Senator Darrow. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1520.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate...or House Bill 1520 requires the Department of Labor during the month of June to ascertain the prevailing rate of wages for each county and provides that any public

body that fails to ascertain the prevailing rate of...rate of wages as required under existing law shall be assigned the prevailing rate for the county within which it is located. This addition to the prevailing wage law would not cause any increased cost to the department to administer. The Department of Labor is now in support of the legislation. It takes no right away from local units of government since they should set their rate each June, and they would do so if they felt their local rate would be lower than the county rate. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Keats.

SENATOR KEATS:

A question. What...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...sponsor indicates he will yield. Senator Keats.

SENATOR KEATS:

...what does the...of...what does the Department of Labor do currently?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

I'm not familiar with what they do, but they...with regard to this, but they have sent me a memo...memorandum indicating that they're in support of the legislation and that they would be doing this each June at no extra cost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

The normal procedure is that if there is some question on prevailing wage, the Department of Labor goes in and checks in that local municipality or that local area. Under your bill on county, to put it mildly, you've dramatically expanded it and I...I would think you are probably

inaccurately reflecting the prevailing wage. The present practice, present practice at the Department of Labor is to worry about prevailing wage in wherever that construction is going on. The...let's see, under your bill you've got a prevailing wage that has nothing to do with where the construction is going on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Well, this...this would...merely...each June the local unit would establish a prevailing wage. If they fail to do so, they would just merely use the prevailing wage set up by the Department of Labor for that county. They have their choice, they can do either one, set their own or use the county...or use the Department of Labor's.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Well, then what you're saying is that they're already going to do one and now we're going to do the other. So, we're going to do A and B whether we need either one. So, what you're doing is setting up a prevailing wage rate that may never be used, which is a procedure to hire more people at Department of Labor at a time when we're laying people off. If they're already going to do municipality rate or continue to do it, you've got it done. If you do it this way, all you're doing is increasing costs for no known reason.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. In response to the...the Republican Spokesman on the Labor Committee, I...I think you've objected to all of the bills that we've been passing

out of here on prevailing wage, and if you are concerned about some of those, and, quite frankly, I am myself because I don't understand some of the fiscal implications for...of local governments, I think this will at least give us some public information of an unbiased agency to let us know whether or not these local governments are in fact paying the prevailing wage or are they really far beyond the prevailing wages in a given area. So, therefore, I support the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Darrow may close.

SENATOR DARROW:

Thank you, Mr. President. Initially, when I looked at this bill I felt the same way as Senator Keats did. I thought, well, this would put on more people and add up the cost for the Department of Labor, but then when I received this memorandum from the Department of Labor, they indicated that it would result in no additional costs. So, evidently they do have the staff available, it would not add to their costs, they would merely work their staff a little harder. The advantage to this is if you have an area that does not have a prevailing wage set in June and you have a construction project that's ready to go, there would be a holdup waiting to determine the prevailing wage for that project, there would not be one available. With this legislation, on June 1st if there was to be one set and the county did not do it or the municipality or unit of government, then the State would come in and there would be one available. There would be no delay in the project and it would be a savings to the taxpayers. I feel it's a good piece of legislation. It adds no additional costs and the Department of Labor is in favor of it. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1520 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open.

HB 1521
3rd Reading

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 11, none voting Present. House Bill 1520 having received the required constitutional majority is declared passed. 1521, Senator Nedza. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1521.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The synopsis in your Calendar is...is exactly what the bill is with...with one exception. There was an amendment that was put to the bill that eliminated the publishing proviso, the two-year suspension period, but it instituted in lieu of that a hearing procedure by the Department of Labor. I don't know of any objections to the bill. If there's no questions, I'd move your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Keats.

SENATOR KEATS:

I appreciate the...the thoughts of the sponsor, a fine gentleman, but there's quite a bit of opposition, although I have to admit they'll probably end up the minority on the vote. What this really is is simply black listing, that's all it really is. It's black listing contractors that someone says are not paying prevailing wage. But here's the interesting kicker that's overlooked, this black list also hits companies that they just have an interest in that the allegations have not been made against. No, I...I'm looking at the amendment and it doesn't seem to...I got the amendment

here. You took out most...you took out the worst of the stuff, but it still seems to have...I understand what you're saying, but it still seems to have it. But anyway, that's what I'm saying, all it is is black listing of companies at the Department of Labor's decision, and then does spread sometimes into secondary companies that maybe have no relationship. Do as you see fit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. This would not be a bad idea if another column were added to it, and that is, beside the name of the black list of contractor in parenthesis the amount of money that was saved on the project.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Johns.

SENATOR JOHNS:

Well, two thoughts. One, the saving of money is often because you do a lot of things other than pay less than a prevailing wage, you scrimp, you cut, you delete materials that should be in concrete, et cetera. You can do a lot of things to cut cost, but what I'm saying is, if you...if you get on this black list, it's your fault because you didn't pay the prevailing wage, and you have a choice as to whether or not you're going to be on that black list. You should be on it if you don't pay the prevailing wage. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Nedza may close.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Perhaps I should read the amendment, because I don't

see any...any black listing or anything else. The bill in its original form, perhaps I could agree with. But the amendment specifically reads, "The Department of Labor shall determine the contractors, the subcontractors found to have disregarded of their obligation to employees under this Act after receipt of a complaint of violation and consideration of the complaint at a hearing before the Department of Labor. The contractor or...subcontractor shall be given adequate notice of and an...opportunity to appear at a hearing, and the Department of Labor is empowered to govern the hearing procedure." So, it's not a black listing, it's...it's a cause for a complaint and there's a legitimate hearing and the publishing factor is out and it's not in the bill, so I...I don't know what you're referring to, and I'd still ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1521 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 16, none voting Present. House Bill 1521 having received the required constitutional majority is declared passed. Is there leave to go to resolutions? Leave is granted. Mr. Secretary.

SECRETARY:

Senate Resolution 278 offered by Senator Bloom and all Senators, and it's congratulatory.

Senate Resolution 279 offered by Senator Lemke, Degnan, Becker and all Senators, and it's congratulatory.

Senate Resolution 280 offered by Senator Berman, Rock and all Senators, and it's congratulatory.

And Senate Joint Resolution 57 offered by Senator Schaffer and all Senators, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there leave to add these to the Consent Calendar? Leave is granted. (Machine cutoff)...Secretary, has there been any objections filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Bruce moves to adopt the Resolutions Consent...Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

Well, just a note on Senate Resolution 262 which is a...pays tribute to Anthony J. Sermack for the fifteenth of his death, that should read offered by Senator Lemke and all other Senators.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there...is leave to be...for that order to be listed? Leave is granted. Senator Bruce moves to adopt the...Resolutions Consent Calendar. All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Resolutions Consent Calendar is adopted. Messages from the House.

SECRETARY:

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

Mr. President...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh...just a moment, Mr. Secretary. Senator Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

I'd like to have my name stricken from Senate Resolution No. 257.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there leave to...to have Senator Newhouse's name removed from Senate Resolution 257? Leave is granted. 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 refused to concur with the Senate in the adoption of their amendment to a bill with the following title, to-wit:

House Bill 28 with Senate Amendment No. 1.

And I have like Messages on the following House bills with Senate amendments:

House Bill 127 with Senate Amendment No. 1.

House Bill 134 with Senate Amendment No. 1.

House Bill 147 with Senate Amendment No. 1.

House Bill 157 with Senate Amendment No. 1.

House Bill 252 with Senate Amendment No. 1.

House Bill 367 with Senate Amendments 1 and 2.

House Bill 368 with Senate Amendments 1 and 2.

House Bill 380 with Senate Amendment 1.

House Bill 516 with Senate Amendment 1.

House Bill 573 with Senate Amendment 1.

House Bill 645 with Senate Amendment 1.

And House Bill 720 with Senate Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like the record to show that Forest Etheredge is not here. His son is becoming a priest this weekend.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will so indicate. Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Yes, I...I, too, would like to have my name stricken from Senate Resolution 255. Not that I do not wish the gentleman best wishes on his congressional race; I have not made any decisions to get involved in it, and I would not like to have

the impression given in any way that I have or I am supporting any candidate in that race. So, therefore, I'd like to be removed from it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, I...I think you have the wrong resolution.

SENATOR COLLINS:

It's 257.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins seeks leave of the Body to have her name removed from cosponsorship of Senate Resolution 257. Is leave granted? Leave is granted. Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Well, thank you, Mr. President. We're about to adjourn and I was wondering, I know the House is going to be in from three to six tomorrow afternoon, and I was wondering if we could schedule ourselves to come in at that time. That way, those who want to attend church services in the morning or get their golfing out of the way before the heat of the day would have the chance to do that. I would make...make that suggestion with due deference, of course, to...thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you, Senator Bloom. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Is this an appropriate time for announcements?

PRESIDING OFFICER: (SENATOR DEMUZIO)

It's appropriate as any, Senator.

SENATOR NETSCH:

I just wanted to call attention of the members to the fact that at the request of Senator Savickas, the Senate Select Committee on Budget and Finance will meet immediately after adjournment tomorrow in Room 212. I will have to arrange that room, but I assume it will be available. Sena-

tor Savickas and others had submitted a letter with a series of proposals and they requested an opportunity to explain them and to have a forum. We are obviously not in a position to take a formal vote one way or the other. But we will provide an opportunity for those proposals to be reviewed at Senator Savickas' request. That's immediately after adjournment tomorrow, the Senate Select Committee on Budget and Finance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you, very much, Senator Netsch, for that enlightening announcement. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Thank you, Mr. President. In the light that I think that district that Senator Chew is running in might have a Republican opponent, I think that all Republican Senators other than those who choose to ought to be removed from that resolution as well. Without any disrespect for Senator Chew, but I can see it coming up where it shows Republicans endorsing Senator Chew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, if you would come up and give the Secretary the names of those that wish to be removed, I'm sure we can take care of them all in one swoop. Senator DeAngelis.

SENATOR DeANGELIS:

I would just like to say, take off all the Republicans except for those who wish to put themselves back on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, is leave granted? Leave is granted. Senator Geo-Karis.

SENATOR GEO-KARIS:

Two things, if you're going to go to Greek night and you have your ticket, I hope you have called Carrie, the young lady whose name and number are listed on your ticket. You

will not be able to get in without an individual ticket per individual. It's tomorrow at 6:30 p.m. at the Mansion. If it should rain, I understand arrangements have been made to have us officiate and have fun and conviviality at the Department of Transportation Building under tents. The second thing I would like to know is, I wonder if you could restate the times that we are supposed to be here tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, I'll be glad to do that in just a moment. Senator Zito, for what purpose do you arise?

SENATOR ZITO:

Thank you, Mr. President. Just briefly, we inadvertently missed a hyphenated...a hyphenated sponsor of a bill. I'd like to, at this time, add Senator Welch as a hyphenated sponsor of House Bill 368. I thought that was done and it was not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is leave granted to have Senator Welch added as a hyphenated cosponsor of House Bill 368? Leave is granted. Senator Bruce.

SENATOR BRUCE:

Yes, I was just going to make a motion that we stand in adjournment until the hour of eleven o'clock tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce has moved that the Senate stand adjourned until eleven o'clock tomorrow morning. Is...all in favor signify...Senator Bloom.

SENATOR BLOOM:

Well, I'll make the suggestion one more time. Several members said they thought it was a good suggestion, and that is that we stand in adjournment till three when the House will be in Session.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Bruce has made the motion that we

adjourn till eleven...eleven o'clock tomorrow morning.
Is...all in favor signify by saying Aye. Opposed Nay. The
Senate stands adjourned till tomorrow morning.