

84TH GENERAL ASSEMBLY

REGULAR SESSION

May 9, 1985

PRESIDING OFFICER: (SENATOR DEWUZIO)

The hour of eleven-thirty having arrived, the Senate will come to order. Members will be at their desks. Our guests in the gallery will please rise. The invocation today will be by the Reverend Eugene Weitzel, Director of Chaplains, St. Johns Hospital, Springfield. Reverend.

REVEREND WEITZEL:

(Prayer given by Reverend Weitzel)

PRESIDING OFFICER: (SENATOR DEWUZIO)

... (Machine cutoff)... reading of the Journal. Senator... reading of the Journal.

SECRETARY:

Thursday, May the 2nd, 1985 and Friday, May the 3rd, 1985.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer. And, Mr. President, I move that reading and approval of the Journals of Tuesday, May 7th and Wednesday, May 8th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEWUZIO)

All right. You've heard both motions put forth by Senator Vadalabene. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Motions are carried. Committee reports.

SECRETARY:

Senator Jerome Joyce, chairman of Agriculture, Conservation and Energy Committee, reports out Senate Bill 1021 with the recommendation Do Pass as Amended.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Message from the House.

SECRETARY:

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

Mr. President - I'm directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 89, 112, 150, 170, 178, 181, 188, 195, 197 and 204.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 205 offered by Senator Geo-Karis, it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 206 offered by Senator Degnan, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Keats, for what purpose do you arise?

SENATOR KEATS:

For an embarrassing housekeeping detail. I have the...okay of the sponsor to be a joint hyphenated cosponsor of Senate Bill 667 and ask leave of the Chamber.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats has asked leave of the Body to be added as a hyphenated cosponsor to...Senate Bill 667. Is leave granted? Leave is granted. (Machine cutoff)...leave of the Body...Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR GEO-KARIS:

I have the pleasure of introducing to this august Body, the assistant principal of the Zion Venton High School, Mr. Bruce Bauer, and one of his teachers, Bruce Hanson, and they're sitting in the President's Gallery. Like you to welcome them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, will our guests in the gallery please rise. Welcome to Springfield. All right. With leave of the Body, we'll go to House bills 1st reading. Is leave granted? Leave is granted. Mr. Secretary, House bills 1st reading.

SECRETARY:

House Bill 27, Senator Welch is the Senate sponsor.

(Secretary reads title of bill)

House Bill 36, Senator Lemke.

(Secretary reads title of bill)

House Bill 47, Senator Zito and Lemke.

(Secretary reads title of bill)

(Machine cutoff)...Bill 75, Senator Lemke.

(Secretary reads title of bill)

(Machine cutoff)...Bill 573, Senator Nedza.

(Secretary reads title of bill)

House Bill,...excuse me...611, Senator Demuzio.

(Secretary reads title of bill)

House Bill 626, Senator Fawell.

(Secretary reads title of bill)

(Machine cutoff)...Bill 706, Senator Lechowicz.

(Secretary reads title of bill)

House Bill 734, Senator Fawell.

(Secretary reads title of bill)

House Bill 743, Senator Zito.

(Secretary reads title of bill)

House Bill 853, Senator Lemke.

(Secretary reads title of bill)

House Bill 1204, Senator Demuzio.

(Secretary reads title of bill)

(Machine cutoff)...Bill 1292, Senators Berman and Karpel.

(Secretary reads title of bill)

House Bill 1298, Senator Berman.

(Secretary reads title of bill)

House Bill 1303, Senator Vadalabene.

(Secretary reads title of bill)

(Machine cutoff)...Bill 1358, Senator D'Arco.

(Secretary reads title of bill)

House Bill 1394, Senator Fawell.

(Secretary reads title of bill)

House Bill 294, Senator DeAngelis.

(Secretary reads title of bill)

1st reading of the foregone bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

(Machine cutoff)...Resolution 207 offered by Senators Fawell and Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I'd like to present to you today the VICA Club members, Vocational Industrial Clubs of America, who are holding their twenty-first annual skilled olympics over at the Convention Center. I

invite those of you who have an opportunity to go over and see these young people perform their skills in their different vocations and different industrial avocations. They're here headed by their president, David Scott from Rockford. If they'd please stand so we could welcome them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would our guests in the gallery please rise. Welcome to Springfield. (Machine cutoff)...Resolution 207 which is Senate...Secretary just read. Executive...Consent Calendar...Consent Calendar. With leave of the Body, we will go to Senate bills 2nd reading. Is leave granted? Leave is granted. There are three hundred and thirty-eight bills on the Order of 2nd Reading. So, it is our hope that we can proceed with a great deal of dispatch today. Message from the Governor.

SECRETARY:

Message from the Governor by Kirk Dillard, Director of Legislative Affairs.

Mr. President - The Governor directs to me to lay before the Senate the following Message:

To the Honorable members of the Senate, the 84th General Assembly. I have nominated and appointed the following named person to the office enumerated below and respectfully ask concurrence in and confirmation of...this appointment by your Honorable Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. A and A. All right. Senate bills 2nd reading, Senate Bill 3, Senator Jerome Joyce. Senator Joyce on the Floor? Senate Bill 11, Senator Jeremiah Joyce. Top of page 2. Senate bills 2nd reading is Senate Bill 11, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 11.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 12, Senator Keats. Senator Keats on the Floor? Senate Bill 14, Senator D'Arco. 14. All right. Senator...Mr...all right. With leave of the Body, Senator Keats is on...he was on the Floor. Let's return to Senate Bill 12. Senator Keats wishes to have that called. Mr. Secretary, Senate Bill 12, read the bill.

SECRETARY:

Senate Bill 12.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 16, Senator D'Arco. Senate bills 2nd reading, Senate Bill 16. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 16.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you. Mr. President, Amendment No. 1 deletes the fifty percent requirement in the amount that the fiduciary bond would be to the twenty-five...at least twenty-five percent of the amount of funds in the association plus the reserves. I move to adopt Amendment No. 1 to Senate Bill 16.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion, any discussion? Senator D'Arco has moved the adoption of Amendment No. 1 to Senate Bill 16. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor? 3rd reading. Senate Bill 17, Senator D'Arco. Senate bills 2nd reading is Senate Bill 17. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 17.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This makes it clear that the date of the completion of a person's sentence would be the date from henceforth when the expungement period would apply for misdemeanor convictions, and I would move to adopt Amendment No. 1 to Senate Bill 17.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator D'Arco has moved the adoption of Amendment No. 1 to Senate Bill 17. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 24, Senator Jeremiah Joyce. Mr. Secretary, Senate Bill 24, read the bill, please.

SECRETARY:

Senate Bill 24.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the floor?

SECRETARY:

No floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, my calendar is marked...

SECRETARY:

2nd reading of the bill. The Committee on Judiciary II offers one amendment to Senate Bill 24.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Committee Amendment No. 1 to Senate Bill 24 lowers the age by two years with the consensus of the committee that persons sixteen and seventeen years of age need not be encompassed in the protection of this legislation, and I move the adoption of Amendment No. 1 to Senate Bill 24.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jeremiah Joyce has moved the adoption of Committee Amendment No. 1 to Senate Bill 24. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 36, Senator Jeremiah Joyce. Mr. Secretary, Senate Bill 36, read the bill, please.

SECRETARY:

Senate Bill 36.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 42, Senator Topinka. Senate Bill 48, Senator Sangmeister. Senate Bill 49, Senator Sangmeister. On the Order of Senate Bills 2nd Reading is Senate Bill 49. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 49.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, as indicated, this is a committee amendment. This is a bill that eliminates jury trials on traffic violations, and the committee wanted to make sure that we were referring...only to motor vehicle offenses punishable by a fine only, and I agreed with the amendment and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister has moved the adoption of Committee Amendment No. 1 to Senate Bill 49. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 57, Senator Marovitz. Senator Marovitz on the Floor? Senate Bill 60, Senator D'Arco. Senate Bill 62, Senator Dawson. Senator Dawson on the Floor? Senate Bill 77, Senator Maitland. Top of page 3, Senate Bill 81, Senator Vadalabene. Read the bill, Mr. Secretary, please. Senate Bill 81.

SECRETARY:

Senate Bill 81.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Mr. Secretary, my Calendar indicates that there is to be a committee amendment. Senator Vadalabene, perhaps you can clear it up. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. There is a Committee Amendment No. 1 to Senate...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...hold on, let's see if we can find it. Senator, we don't have a committee amendment. Perhaps we could take it out of the record for a moment and come back to it. Senator Vadalabene.

SENATOR VADALABENE:

Yes, we'll...we'll see that the Secretary of the Senate gets a copy of it, and then will you come back to it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Leave of the Body...is there leave to come back to Senate Bill...all right. Let's take it out of the record and, with leave of the Body, we'll come back to it and perhaps we can get it straightened out. Take it out of the record. Senate Bill 82. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 82.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. The Committee Amendment No. 1 was a amendment that was...asked for by the Department of Mental Health and Developmental Disabilities which now held a...title to the property and not the Department of Central Mangement Services. This amendment would convey that prop-

erty and so designate, move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 92. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

It is also a technical amendment in reference to the committee amendment that was just put on. The property technically belongs to the Department of Mental Health and Developmental Disabilities and therefore should have access rights, not the Department of Central Management Services. I move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 2 to Senate Bill 92. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 93, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 93.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. The committee...amendment straightened up some problems that the Secretary of State had with the legislation. It was agreed to by the committee chairman. It's simply just...spells out the amount of time...it's...the suspension of a driver's license will be issued in passing a...a stopped school bus. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Watson moves the adoption of Amendment No. 1 to Senate Bill 93. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 95, Senator Welch. Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 95.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The bill itself is a regulation of the incineration of waste in...in specific incinerators. What Amendment No. 1 does was change the standard to determine how well the incineration is done. Instead of using the risk analysis, we are now stressing the degree of destruction of a waste which is a different standard and more easily complied with and goes along with Federal requirements in this area.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Welch moves the adoption of Amendment No. 1 to Senate Bill 85. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you. Amendment No. 2 was suggested by the committee during the hearings, specifically by Senator Maitland. What this amendment specifies is that regulations adopted for the incineration of waste shall not include substances generated and used on farmland for heating or burning. Basically, this is the...the fuel oil amendment that's been added over the last few years to these types of bills.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator...Welch moves the

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adoption of Amendment No. 2 to Senate Bill 85. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 91, Senator Marovitz. Senate Bill 92, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 92.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 96, Senator Fawell. Senate Bill 101, Senator Hall. Senate Bill 102, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 102.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. The committee amendment is a clarifying amendment...in regard to the definition of what vacation time is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Etheredge moves the adoption of Amendment No. 1 to Senate Bill 102. Those in

favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 103, Senator Bloom. 109, Senator Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 109.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Ladies and Gentlemen of the Senate. This bill deals with the area of having local control over regulations of the EPA by local authorities. Although there was no agreement in committee of any kind, I'm just trying to further clarify this legislation by making sure that no local authority is going to deny anybody the right to operate their landfill but just that they were able to regulate and keep them in compliance with existing regulations. Also, there was some concern about what kind of a fee, and I put a cap on that of two hundred and fifty thousand dollars, and I think this is much more acceptable to the industry and I would move

its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Smith.

SENATOR SMITH:

Sir, I stand on a point...thank you, Mr. President. I stand on a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh. Is there discussion on the adoption of Amendment No. 1? If none, Senator...Sangmeister moves the adoption of Amendment No. 1 to Senate Bill 109. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I stand on a point of...perfect...personal privilege, please. We have in the gallery with us today some friends of ours from my district, and I'd like to present them, Mr. and Mrs. Howard and Harriett Wiseman and Mr. Lindley Holt.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...would they please rise and be recognized.

SENATOR SMITH:

Thank you, sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate...Senate Bill 110, Senator Bloom. Senate Bill 112, Senator Joyce. Jerome Joyce. Senate Bill 114, Jerome Joyce. Senate Bill 119, Senator Lemke. Senate Bill 126, Senator Collins. Read...read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 126.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance, Pensions and Licensed Activities offers three amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the city...Senate. Committee Amendment No. 1 becomes the bill, as the bill...as it was filed...were filed and...during the time when the committee...the task force created by myself to work on this problem we're still in the process of doing their work. So, the...the Amendment No. 1 just strikes everything after the enacting clause on the...on the original bill, and it creates the Home Repair Registration Act. It requires that...they register with the county clerk in the area of which they...they...they live. It sets up an application process and it requires a twenty-five dollar application fee, registration to occur every...every year, and it sets up some very careful procedures and regulations for conducting business as a home repair operator. And it sets forth penalties for violation of the Act. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Kelly.

SENATOR KELLY:

Yes, Mr. President, I'd like to have leave to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR KELLY:

Senator Collins,...I don't know if this would be in your final bill or if it's in your amendment, but there was some indication that there is a limitation of...five hundred dollars on the amount of home improvements. Is that in your

amendment or is that in the bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

That...that's deleted out of the bill. That's in the original shell bill. It's no longer in the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes, I'd like to ask the...the sponsor a question, too. Are you...are you saying by virtue of Committee Amendment No. 1 that any work that's done on my house or anybody else's house, I've got to go down to the county clerk's office and...and file and pay twenty-five dollars?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

No. It defines a home repairer as someone who sets themselves out as doing home repair for...for a living. It specifically excludes your concern of doing the work on your own home. It has nothing to do with it, or if you want to do the work for someone free on their home, that has nothing to do with it. It's whether or not you set yourself out as doing business as a home repairer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

So...so, now, if you're doing home repairs, you're going to have to...do you have to get a license also in addition to this permit with the county clerk to do work on your...on your home?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

For those persons who are currently registered by the State such as plumbers, electricians and whatever, they do not have to get this registration...have to be reregistered. It is only for those persons who...who does home repair, remodeling...home remodeling and...as a living. Right now...and...and who are not required to be licensed by the State of Illinois, they have to register...they're supposed to register now with the county clerk. So this bill just sets up a State Home Repair Act, so that all...all of the registration and requirements can be consistent and uniform throughout the State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Demuzio.

SENATOR DEMUZIO:

It's my understanding that we've excluded roofers and plumbers. Why are we excluding them and requiring everyone else who comes over to the house to get registered with the county clerk and pay twenty-five bucks?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Because they have to pay more than twenty-five bucks. They have to register with the State of Illinois. That is existing law.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, if it's existing...if it's existing law, then why are we...why are we doing this? Why is this bill here? I mean, why is it necessary?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Because there are other persons in the home repair busi-

ness who right now is not covered under the Illinois Registration Act for those persons. Only those persons who are not covered would have to register with the local county and that is also existing law.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I hate to belabor this thing, but I also understand that it requires the Attorney General to investigate the complaints. Why do we skip by the local state's attorney? Why do we go to directly to the Attorney General's Office?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

He...he also investigates complaints now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, from what I know about it and what I see before me, I...I think it's a terrible bill and this is, in fact, a committee amendment, I...I am told. If it goes on, why I guess I'll speak against the bill when it gets to 3rd reading.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

There's a young man in my neighborhood who used to cut my grass, now he's in community college and awhile back I had a window broken while I was down here. One of my neighbors told me about it and I called him up and asked him to go pound a...a piece of wood, get it out of my house and cover that window, and I said I'd pay him for it and which I did. Is he going have to register? I mean, you know, he does do odd jobs around. Are those kind of people going have to

register?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes. Let me...let me respond to you, but for the interest of time, let me just suggest that this is 2nd reading and we can debate these amendments...the bill on 2nd reading. That is not true. The bill specifically says, it define a home repairer as someone who sets himself or herself out as doing business as a home repairer. That kid that you're talking about, is not a...is not in business to do home repair. It has nothing to do with if you pay someone to...to do something for you like that. It as simple as that...if that's what they do as a business. And the bill...if you'll read the bill in its totality, you will see that's...we have very carefully...carefully, that task force, eliminated what you call the community handyperson who goes around and do...little odd jobs like that for you. This bill does not...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Schaffer.

SENATOR COLLINS:

...this bill is targeted at those unscrupulous persons who goes around in the communities and...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR COLLINS:

...and defraud senior citizens and unsophisticated...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I don't know if I'm unsophisticated or something, but...frankly, our staff seems to think it would apply in that situation and...we have a lot of young people and some

older people who do odd jobs around neighborhoods, and they...they have little flyers they pass out at shopping centers and stuff like that, and that's the very heart of our free society. I mean, you got to be kidding.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio again.

SENATOR DEMUZIO:

Well, I...I agree with the...with the sponsor that the...the debate should take place on 2nd reading, and that's obviously what we are doing. This is 2nd...2nd reading. I would ask Senator Collins if she would take this bill out of the record, because there are two additional controversial amendments to follow. Perhaps, you might be able to clear up some of this controversy, so that we can proceed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins, what's your pleasure?

SENATOR COLLINS:

I don't...I don't mind taking the bill out of committee...out of the record, but I...you know, I...I will most certainly talk with these two members, but if they have some real problems with it...we have no...opposition from no one on this bill that I've known of before.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. 128, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 128.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 130, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 130.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 131, Senator Bloom. 134, Senator Carroll. 138, Senator Netsch. 140, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 140.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The amendment allows the sheriffs to transfer into INRF, but once they have, it prohibits them from transferring back out into their system that...from which they came. And I would move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hudson. Your light was on, Senator. No further discussion? If not, Senator Luft moves the adoption of Amendment No. 1 to Senate Bill 140. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. For what purpose Senator Donahue arise?

SENATOR DONAHUE:

I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DONAHUE:

In the...gallery today we have some students from Quincy Junior High School and they are our student council members, and I'd like to have them recognized...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senate Bill 144, Senator Kelly. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 144.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. There was a committee amendment adopted which eliminated the opposition. What it did, is it made it...it increased the penalties for stun guns rather than eliminating or...or banning the sale of stun guns to other than law enforcement officials. It also provided a prohibition...or individuals who work in hospitals will not have any type of liability if the information is given out on

blood alcoholic tests and it...it just increased the penalties rather than...it's a much easier concept and...even the...the Nova Corporation who devised the stun gun is not in opposition to the bill with this amendment. I'd ask for your favorable...adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kelly moves the adoption of Amendment No. 1 to Senate Bill 144. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 145, Senator Carroll. Senate Bill 152, Senator Smith. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 152.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Mr. President,...Amendment No. 1 was merely technical.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Smith moves the

adoption of Amendment No. 1 to Senate Bill 152. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Rupp.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp. Senator Rupp wishes to withdraw his...his motion...or his amendment. Is leave granted? Leave is granted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 157, Senator Poshard.

SECRETARY:

(Machine cutoff)...Bill 157.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. This amendment simply changes the operative date for survivors' benefits and allows the survivors benefits to be paid to a trust established and designated by the member on behalf of the dependent beneficiary. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Poshard moves the adoption of Amendment No. 1 to Senate Bill 157. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

AB 159
2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 159, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 159.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 161, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 161.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. The committee amendment is in response to some concern some of the county people had. It involves cooperation between the county, body and the townships. I urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio...Senator DeAngelis moves the adoption of Amendment No. 1 to Senate Bill 161. Those in favor indicate by saying Aye. Those

opposed. The Ayes have it. Amendment No. 1 is adopted.

Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 167, Senator Carroll. Senate Bill 169, Savickas. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 169.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Whoop...Mr. Secretary, I understand, my Calendar has indicated a Floor amendment. Senator Savickas.

SENATOR SAVICKAS:

Yes, I...I would like to move it, but we do have a discussion going on...on the amendment to this bill, and I would just let the record show that I will bring it back as soon as we work out whatever amendment is amenable vote to Senator Joyce and Senator, I think, Fawell was concerned.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Bill has already been moved to 3rd reading. Senate Bill 171, Senator Netsch. Senate Bill 172, Senator Zito. On the Order of Senate Bills 2nd Reading is Senate Bill 172. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 172.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members of the Senate. Having voted on the prevailing side, I would move to reconsider the vote by which Amendment No. 1 passed for the purposes of Tabling.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, the committee does...does not adopt amendments here on the Floor, so your motion would be to...to Table Committee Amendment No. 1. Senator Zito moves to Table Committee Amendment No. 1 to Senate Bill 172. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. This is the amendment that's technically correct and the purpose for Tabling Amendment No. 1, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Zito moves the adoption of Amendment No. 2 to Senate Bill 172. Is there any discussion? If not,

those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3, by Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Amendment No. 3 would incorporate a five-year plan for our State's infrastructure needs, the five-year capital improvement programs, a preparation of which is to be coordinated by the Governor's Office of Planning, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito moves the adoption of Amendment No. 3 to Senate Bill 172. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

Amendment No. 4, by Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. Amendment No. 4 would establish guidelines to be used by the Department of Commerce and Community Affairs in its monitoring of local public infrastructure in the State and its report to the Governor and the General Assembly. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito has moved the adoption of Amendment No. 4 to Senate Bill 172. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Vadalabene, we will alert you that when we finish this page, we'll go back and pick up your...your Senate bill that we passed over. Yes, sir. Okay. All right. Senate bills 2nd reading, Senate Bill 176, Senator Watson. All right. Senate Bill 176, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 176.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This amendment establishes a community fire protection grant program and...to be administered by the Department of Conservation. Any community in the State of Illinois can apply for one of these matching grants. It's a fifty percent matching grant but no grant would be over ten thousand dollars in any fiscal year. There's no opposition to it, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson moves the adoption of Amendment No. 1 to Senate Bill 176. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 179, Senator Karpziel. Senator Karpziel on the Floor? Senate Bill 191, Senator Netsch. 191. On Senate bills 2nd reading is Senate Bill 191, Mr. Secretary, read the bill. All right. Senate Bill 191, Mr. Secretary.

SECRETARY:

Senate Bill 191.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 192, Senator Sangmeister. Mr. Secretary, Senate bills 2nd reading is Senate Bill 192. Read the bill.

SECRETARY:

Senate Bill 192.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, Ladies and Gentlemen of the Senate, this is a school impaction bill and the committee did not agree with the way the bill was originally drafted and decided that it ought to

be amended to the standpoint that where one-half of the school district is within a State institution's area that then there should be a tax equivalent grant and that's what this amendment does. Move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister moves the adoption of Amendment No. 1 to Senate Bill 192. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 195, Senator Geo-Karis. Senate bills 2nd reading, Mr. Secretary, Senate Bill 195. Read the bill.

SECRETARY:

Senate Bill 195.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on...Judiciary 1 Committee offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I move the passage of that amendment. This changes the bill entirely. It has nothing to do with...adding of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis moves the adoption of Committee Amendment No. 1 to Senate Bill 195. Is there any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the...will the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield.

SENATOR ETHEREDGE:

What is the...the content of...of this amendment, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. Etheredge, the content of this amendment...the amendment is the bill. It expands the senior citizens' home center exemption to include property occupied as a residence by a person of sixty-five years of age or older and shared by a child, grandchild,...lineal descendant, who is the owner of the property and is...is liable for paying real estate taxes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

I would like to point out to the...to the membership that this bill now is in the same form as Senate Bill 184 which was a bill that failed to...to get out of Senate Revenue Committee. This is...this is really a revenue bill. What this bill does, it...it put...it puts wheels on the senior citizens' homestead exemption, so that the senior citizen can carry that exemption with them; if they were to sell their property and move in with their children, they carry that exemption with them. There is a price tag to local government on this bill, and I...I'm going to ask the...the Senator what that...what that cost is, but I want everyone to understand that we're sticking it to the units of local government again...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator Etheredge. Can we have some order, please. Will all unauthorized people please leave the Floor. Senator Etheredge.

SENATOR ETHEREDGE:

...that we're sticking it to the units of local govern-

ment again by taking away their...some of their assessed evaluation on which they depend to provide services to...that they are obligated by law to provide. So, my second question then is, what is going to be the cost to these units of local government by this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I would like to defer to my cosponsor on this, Senator Lemke, about the cost, 'cause the amendment is a very humane amendment to help senior citizens stay out of nursing homes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis wishes to yield to Senator Lemke. Senator Lemke.

SENATOR LEMKE:

The...the cost to this would be...with the amendment it only applies to circuit breakers, it would be less than a million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

I just wanted to...to see if I understood correctly. Less than a million dollars, I...I find that...that very difficult to...to believe.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would rise in opposition to the amendment, and in addition to the points that have been made in the concern expressed by Senator Etheredge and others, I would like to point out to the Senate a procedure that we adopted in the Revenue Committee. There were probably at least a dozen bills that dealt with senior citizen tax relief in one form or another that were sent to that

committee. All of us would of course like to vote for all of them, but we also know that that is not responsible and that we cannot do it. And so all of the bills dealing with any form of senior citizen tax relief were put in a subcommittee. We held a subcommittee hearing at which all of the sponsors, including Senator Lemke, were present to make any comments and make any presentation on behalf of their bills. The subcommittee decided that only one bill would be reported out, that that would be one dealing with the circuit breaker because that is the...probably the most responsible form of senior citizen tax relief, and it was time we thought to make some adjustments in it. That bill is now a committee bill. It is not even under anyone's individual sponsorship. And we thought we had an understanding from all of the members who had those bills that they would abide by the committee decision. What this is is a bill that was before the Revenue Committee and the Senior Citizens' Subcommittee of the Revenue Committee. It was not one of those that we voted out, partly because it deals with property taxation, and we thought that was not the appropriate way to move. What has happened is that I think the text of a bill that was in Revenue was then substituted for a bill that was in another committee so that the Revenue Committee's decision was in no way reflected in that. I think that is inappropriate procedure to begin with; and in addition, I think, the amendment is not appropriate on its merits for reasons previously discussed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Senate...Mr. President, Senator Netsch...

PRESIDING OFFICER: (SENATOR DEMUZIO)

We'll get back to you...

SENATOR SAVICKAS:

...touched the basis that we were concerned about. I don't know if she touched the base about that anyone...anybody would be eligible as long as they used the address; so you could say, I live there, register there and move to Florida and still get the exemption and not be a...a really legal occupant of that building.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lemke.

SENATOR LEMKE:

Well, I was there and...this is what I was advised; then, when I looked at the Calendar, I noted that there's other...another senior citizen bill on the Calendar who in...I have a perfect record in Revenue of getting bills, I got zero. So, I went along with the agreement on a committee bill. But when I checked the Calendar, I found out the chairman of Revenue Committee also has another senior citizen bill on the Calendar. If that was the deal, then there should be only one bill on the Calendar. So, that...that deal is off. So now it's a matter of looking at what's available, what's necessary to the people in my area. This...this amendment is restricted to homeowners that can qualify under the fifteen...the twelve thousand dollar home-stead...exemption under the circuit breaker. These are the people we want to take care of. This is an amendment to encourage people for in-home care, in-home care of their senior citizens' mothers and fathers, which in my district is very important, because in our community, whether you're...of ethnic background, it's a...sin and a crime to put your mother or father in...in a poor house or in an old people's home. It's a sin or a crime. We take them, we take care of them. All we're trying to do for these people is give them a little tax advantage, that's all, if they can qualify if they want to take care of their mothers and their fathers or their aunts and uncles, which they want to do. This is a humane

bill. This isn't a taxpayers' bill. This is a humane bill, because local government will indirectly save money by this bill, because they won't have to buy...they won't have to buy county homes to put people in. We won't have to have people in...in...in county facilities, Oak Forest, that we pay for as taxpayers of County of Cook. Indirectly they will take care of it. Who can...who knows best to take care of their children? Who knows best to take care of their mother, their father, their grandmother?...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lenke...

SENATOR LEMKE:

...isn't it the...the people that raised them? The people that they raised know what's good for their parents. That's what this bill does. It encourages people to keep their children at home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Netsch.

SENATOR NETSCH:

I move to rerefer Senate Bill 195 to the Committee on Revenue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved to rerefer Senate Bill 195 to the Committee on Revenue. All right. Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senator Lemke is absolutely right, this bill...this amendment is trying to help senior citizens stay in their homes of their children by simply giving a homestead exemption of two...two thousand dollars to them as long as they're keeping them at least nine months. It's a very humane bill. This will stop a lot of senior citizens from going to nursing homes so they can get their home care from their family.

There's nothing wrong with this amendment and I certainly am in favor of it, and I move to Table Senator Netsch's amendment...motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis has moved to Table Senator Netsch's motion to rerefer. That motion is nondebatable. It will require a majority vote. The motion is nondebatable. Senator Geo-Karis has moved to Table Senator Netsch's motion to rerefer to committee. Those in favor of Tabling Senator Netsch's motion will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28...29, the Nays are 17. The motion to Table...prevails. (Machine cutoff)...right. Senator Geo-Karis, we're back to the question on Amendment No. 1. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I would like to...I move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Geo-Karis has moved the adoption of Senate Bill 195. Any discussion? Senator DeAngelis. All right. Those in favor of the adoption of Amendment No. 1 to Senate Bill 195 will indicate by saying Aye. Opposed Nay. The Ayes have it, in the opinion of the Chair. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 6, Senate Bill 199, Senator

Newhouse. Mr. Secretary, Senate Bill 199. Read the bill.

SECRETARY:

Senate Bill 199.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 200, Senator Newhouse. Mr. Secretary, Senate Bill 200, read the bill.

SECRETARY:

Senate Bill 200.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 201, Senator Sangmeister. Senate bills 2nd reading, Mr. Secretary, Senate Bill 201. Read the bill.

SECRETARY:

Senate Bill 201.

(Secretary reads title of bill)

2nd reading of the bill. Judiciary II Committee offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, Ladies and Gentlemen of the Senate, the synopsis on your Calendar is relatively accurate. As we've been holding

hearings throughout our communities on gang crimes, it came to our attention that not only is there problem on school property but there is problems within one thousand feet of a school property, and what this amendment does is extends it to the crime occurring within school property or within one thousand feet of that school property, and I move for the adoption of the committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister has moved the adoption of Committee Amendment No. 1 to Senate Bill 201. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment...Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 202, Senator Marovitz. Senate Bill 205, Senator Sangmeister. Senate bills 2nd reading, Mr. Secretary, is 205. Read the bill, please.

SECRETARY:

Senate Bill 205.

(Secretary reads title of bill)

2nd reading of the bill. Judiciary II Committee offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Once again, as on Senate Bill 201, the committee came to the decision that we ought to again on...on unlawful use of weapons cover that area of one thousand feet within the

school district or school boundary, and this amendment does the same as on Senate Bill 201 and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister moves the adoption of Committee Amendment No. 1 to Senate Bill 205. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 206, Senator Sangmeister. Mr. Secretary, Senate Bill 206.

END OF REEL

REEL #2

SECRETARY:

Senate Bill 206.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 216, Senator Lechowicz. Senator Lechowicz, 216. Mr. Secretary, read the bill, Senate Bill 2-1-6.

SECRETARY:

Senate Bill 216.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Earlier today we had leave of the Body for Senator Vadalabene to return to Senate Bill 81 because there was a question relevant to a committee versus a Floor amendment. With leave of the Body, we'll return to Senate Bill 81 which is at the top of page 3. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 81, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 81.

{Secretary reads title of bill}

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Floor Amendment No. 1 to Senate Bill 81 amends the State Employees' Article of the Pension Code for the State troopers. It changes the operative age and the automatic increase provision from sixty to fifty-five, and if the person retired before fifty-five and with less than thirty-five year service, increase becomes effective after a person reaches the age of fifty-five, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Vadalabene has moved the adoption of Amendment No. 1 to Senate Bill 181. Is there any discussion? If...I'm sorry. The board is wrong. Senate Bill 81. The board has now been corrected. Senator Vadalabene has moved the adoption of Amendment No. 1 to Senate Bill 81. Those in favor will signify by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. We will now return to page 7, top of page 7. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

I...I believe I had the same problem as...as Senator Vadalabene. I put an...an amendment that just got up there

AB 223
2nd Reading

on Senate Bill 96...

PRESIDING OFFICER: (SENATOR DEMUZIO)

No, we had leave of the Body to go back to Senator Vadalabene's. We will have to catch it next time we get back to it. Senate Bill...223, 2-2-3, Senator Lemke. Senator Lemke on the Floor? 224, Senator Lemke. All right. Which one, Senator Lemke? 223? Top of page 7.

SENATOR LEMKE:

Yeah, move that one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senate bills 2nd reading is Senate Bill 223, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 223.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this...amendment does...is an amendment we worked out with the insurance industry. They...they requested this amendment. I think it's a good amendment, it allows...if the interest on the money will follow the judgement rate which is nine percent. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Committee Amendment No. 1 to Senate Bill 223. Is there any discussion? If not, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 224, Senator Lemke. Mr. Secretary, Senate Bill 224, read the bill.

SECRETARY:

Senate Bill 224.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is requires the sanitary district to hold on-site public hearings and let the public people...express their views. This is an amendment that we worked out with the sanitary district. They will do...take the public information and they will make the ruling. I think it's a good amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Committee Amendment No. 1 to Senate Bill 224. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is specifically specifies there that the people are allowed to testify at the public hearings.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of committee amendment...of Amendment No. 2 to Senate Bill 224. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR JONES:

Yes, thank you, Mr. President. I'd like for the Senate to recognize the students from the Lincoln School, their principal. They are students from the 17th District in Dalton, Illinois and their principal, Mike Stritz, a very good friend of mine. They are here and I'd like to give a warm welcome to the students to the Illinois Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise. Welcome to Springfield. Seth Pearlman from the AP has requested leave to take still photos. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 227, Senator Savickas. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 227.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

AB 232
2nd Reading

All right. Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, this amendment was asked for by the Civic Federation and it adds that the advice and consent of the Senate is required for mayoral appointments to the Metropolitan Fair and Exposition Authority Board. When the Senate is not in Session the mayor may make temporary appointments. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas has moved the adoption of Committee Amendment No. 1 to Senate Bill 227. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 232, Senator Jeremiah Joyce. 2-3-2. Mr. Secretary, read the bill, Senate Bill 232.

SECRETARY:

Senate Bill 232.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Committee Amendment No. 1 to Senate Bill 232 brings the employees of the State Library System under the coverage of

Senate Bill 232. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce has moved the adoption of Committee Amendment No. 1 to Senate Bill 232. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 234, Senator Kelly. Mr. Secretary, Senate bills 2nd reading is Senate Bill 234, read the bill.

SECRETARY:

Senate Bill 234.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Yes, Mr. President, the amendment restricted the application of this bill to only driving while under the influence and...or for reckless homicide. It also exempt medical personnel from liability and it insured the privacy of medical records. At the committee hearing the Illinois State Medical Society opposed the bill. They've advised me since that they are on board, that the amendment takes care of any problem they have. The only one I know that has a problem with this is Senator Darrow and I'm not sure of the depth of that.

Other than that, I ask for your favorable adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly moves the adoption of Committee Amendment No. 1 to Senate Bill 234. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 236, Senator Newhouse. Mr. Secretary, Senate bills 2nd reading is Senate Bill 236, read the bill, please.

SECRETARY:

Senate Bill 236.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse on Committee Amendment No. 1.

SENATOR NEWHOUSE:

Thank you, Mr. Chairman.

SECRETARY:

Very short, Senator Newhouse. Changing sixty to a hundred and eighty and deleting Session.

SENATOR NEWHOUSE:

Oh, thank you, Mr. Chairman. This...what this does is extend the length of time within which these decisions must be made from sixty to one hundred and eighty days.

PRESIDING OFFICER: (SENATOR DEMUZIO)

AB 259
2nd Reading

Senator...

SENATOR NEWHOUSE:

Simple amendment, I...I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Newhouse has moved the adoption of Committee Amendment No. 1 to Senate Bill 236. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 241, Senator Sangmeister. Mr. Secretary, Senate bills 2nd reading is Senate Bill 241, read the bill, please.

SECRETARY:

Senate Bill 241.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading...top of page 9...top of page 8 is Senate Bill 258, Senator Netsch. Senator Netsch. Senator Netsch, top of page 8 is Senate Bill 258, I think you have an interest in. Do you wish that bill called? Senate Bill 259, Senator Bloom. Mr. Secretary, Senate bills 2nd reading, top of page 8, is Senate Bill 259, read the bill, please.

SECRETARY:

Senate Bill 259.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, with...with the consent of the sponsor of the bill, Amendment No. 1...1 amends...Senate Bill 259 on page 4, line 14, by inserting language stating, "Unless such acquisitions have been approved...shall have been approved by a majority vote of the board of directors whose...county...of directors who are; A, are directors or officers or have a material equity interest in the controlling person or any member of...controlling group; or, B, were nominated for election as directed by...controlling person or any member of the controlling group." This tightens up the bill. I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Geo-Karis moves the adoption of Amendment No. 1 to Senate Bill 259. Those in favor indicate by saying Aye. Those...those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 260, Senator Holmberg. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 260.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Holmberg.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

This is an amendment that was suggested by the IMRF and it applies the interest computation talked about in the bill to all retroactive adjustments allowed by IMRF and changes the effective date to January 1st, 1986.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Holmberg moves the adoption of Amendment No. 1 to Senate Bill 260. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 270, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 270.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 274, Senator DeAngelis. Read

the bill, Mr. Secretary. With leave of the Body, we will go back to Senate Bill 270. We've...we...take it back to the Order of 2nd Reading. There is a Floor amendment. Is leave granted? On that motion, leave is granted. Senator Netsch.
SENATOR NETSCH:

Now, I think we are about to go through the same process again. That is as I...as I see this, it was a Judiciary bill that has been stricken and another one of the bills that had been assigned to Revenue inserted as an amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch, it was the fault of the Office of the Secretary and that amendment was not called. The amendment was here physically. We moved the bill too quickly, so technically, there is no motion that is needed. We should bring it back and proceed on the amendment. So, now we are back to the Order of Senate Bills 2nd Reading with Senate Bill 270 before us. On the Order of 2nd Reading, Mr. Secretary, read...read the bill.

SECRETARY:

No, the bill has been read. Amendment No. 1, Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is...in effect gives an additional thousand dollar basic income tax exemption to an individual taxpayer that takes care of his...his parents. Right now, before we get into the cost factor, this factor I have. Right now, the Department of Aging Community Care Program services thirteen thousand clients. If every one of those clients were to get...qualify, all thirteen thousand, the State's cost would be three hundred and twenty-five thousand dollars under this program. I think it's adequate. I think we have the safeguards; in fact, when we passed the Section

402 of the Act of Aging asking for home health service, home nursing services, homemaking services and chores, I think we established the qualification under this program and it's been in effect and we have thirteen thousand clients now that there...this...these cares are being...and this is just an additional twenty-five dollars a year to these people making it the same as the Federal Income Tax. I think it's...it's adequate for senior citizens. I think we should pass the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not,...Senator Netsch.

SENATOR NETSCH:

Again, if I might, this is a...the text of a bill that was introduced, assigned to the Revenue Committee, was considered as part of the total number of senior citizen tax relief measures and is not one of those that was recommended out by the...either the Senior Citizens Subcommittee or the Senate Committee on Revenue. There are good reasons why it was not. It is an extremely difficult thing to administer and potentially could be very costly, although obviously no one has any idea, as I recall, of the fiscal note of exactly how much it would cost because you don't have any really good figures on it, but I would oppose the amendment on two grounds; one, I think it is extremely bad policy to go this particular route with respect even to what is a generally beneficial objective and that is encouraging people to take care of elderly people in the home, but the income tax deduction is not a happy way to do that. In addition, I would express my strong disagreement with the sponsor's attempt to circumvent a process which all of us thought was orderly and which we believed was going to be accepted by all of those who had an opportunity fully to present their ideas to the members of the Senior Citizen Subcommittee of the Committee on Revenue. I think that is no way to expedite and make

orderly the business of the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Yes,...I would like to inquire whether or not a fiscal note has been filed on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary, has a fiscal note been filed? A fiscal note has just been brought to the Secretary, and he just...the Secretary indicates that he cannot accept it at this point. The bill has been read a second time. Senator Etheredge.

SENATOR ETHEREDGE:

All right, the...we will be filing a...a request for a fiscal note on this. I was wondering if the sponsor has...has distributed copies of this amendment to...to...to the membership.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge, for our information, a fiscal note cannot be filed when it's...once it's been read a second time. The copies of the amendment, I don't know if they've been distributed yet or not. Mr. Secretary. Senator Etheredge, are you joined by four other Senators?

SENATOR ETHEREDGE:

Yes, I'm sure I will be.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The amendments will be distributed. Senator DeAngelis.

SENATOR DeANGELIS:

Well, just...just a point of clarification. What if there's no fiscal note required till the amendment goes on there? The amendment is the thing that's requiring the fiscal note, not the bill. How can you anticipate when it's on 2nd reading that somebody is going to file an amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke is going to answer your question.

SENATOR LEMKE:

I would assume the Senate rules say that the fiscal note has to be filed on 2nd reading when the bill is read the second time. We don't...if you want to change the rules, then we should change the rules so we know what they start in the beginning of the game.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. My point of order is that before the amendment is adopted, you don't know if you need a fiscal note or not. It's after it's adopted, before the bill moves to 3rd reading, then the request for a fiscal note is in order and would have to be filed with the clerk; but until then, it's premature to say whether the amendment is adopted or not until it's acted upon by this Body. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis and Senator Etheredge, the rules on the filing of fiscal note are not in the Senate rules, they are in the Statutes; and Senator Lechowicz was correct in his statement on the filing of...fiscal note. If Senator Lemke wishes to take it out of the record...

SENATOR LEMKE:

...just go with a roll call. Why...why go through this, we know what's going to happen. Let's get a roll call and...and go from there. We either...we either...we're either going to help senior...people that take care of their parents at home or we, as a Body, are going to say, you can't, that's all and put...put...put your...put your parents in an old people's home. We don't care. We're... (machine cutoff)...senior citizens that qualify under a one estate program right now which is in effect, that's what we're talking about. We're talking about a total sum of three hun-

dred and some thousand dollars which is next to nothing in this State because we'll...they'll spend that...the Governor will spend it on one trip to China...(machine cutoff)...to this State and have worked hard and stayed here for...over sixty years. That's what we're talking about. So, let's take a roll call on the amendment and see how it goes and do it from there. If we want to deny senior citizens and we'd rather have the Governor go to China, fine but I know the trip to China will cost more than three hundred thousand.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the Chair. Are...is this a Floor amendment, Mr. President?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes it is.

SENATOR SCHUNEMAN:

A Floor amendment. Well, you know, I'm...I'm concerned by what we seem to be doing more and more here. We have a Revenue Committee in the Senate. This is obviously a Revenue bill. I notice...I just happened to look in the Digest and I notice Senate Bill 268 creates A Friend of the Court Act and that probably should go to Judiciary. 269 amends the Public Aid Code; that went to Judiciary. 270 amends the Income Tax Act; that went to Judiciary. 271 amends the Unemployment Act; that went to Judiciary. 272 amends the Workers' Compensation Act; that went to Judiciary. Now, I'm not sure why we have other committees around here but I thought that it was so that we didn't all have to be experts...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Schuneman, so that our guests...

SENATOR SCHUNEMAN:

...in everything...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...so that our guests don't misconceive your frivolous...looking through the Digest that it's the content of the bill and not the Act that it amends that...decides what committee it goes to, and the Committee on Assignments looks at both the content of the bill not...it's just quick summary explanation. Senator Schuneman.

SENATOR SCHUNEMAN:

I...I understand that, Mr. President, and my comments were in no way meant to impune the reputation of the fine people we have on the Committee on Assignments, but I...I want to point out to the...to the membership...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...

SENATOR SCHUNEMAN:

...what we're doing...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator, before we proceed, that your comments should be directed towards the debate on this amendment and not carrying off into a policy procedures. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, absolutely. I agree with you, Mr. President, and that's why I'm addressing the issue. This is a...a revenue matter and was...was not heard by the Revenue Committee, and so now we're being asked as a Committee of the Whole to act upon this issue; and I...I simply want to point out that we're really not qualified to act as a Committee of the Whole on every bill, and...if for no other reason, we ought to reject this and send it back to committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well, we will, I'm sure, be requesting a fiscal note...when the amendment is adopted, if it is adopted, but I

would also like to just make it very clear that this is a circumvention of a process that was established. Senator Lemke happens to be the chairman of the Judiciary Committee. It just so happens that a Revenue bill was...was put on in place of a Judiciary bill in his committee even though the substance of that bill had previously been assigned to the Revenue Committee. I...I cannot protest too long, too strongly that I think that that is a circumvention of the entire process of the Senate, and I think it is insulting to those of us on the Revenue Committee who did consider all of these proposals and made our own recommendation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, I made a request that this amendment be distributed and I have been joined by at least four of my colleagues in that request so, I would respectfully request that the amendment be distributed to the membership.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, I am...assumed that it was being distributed. The Pages are evidently Xeroxing...photocopying the amendment and they...I assumed that it was being distributed. Senator Berman.

SENATOR BERMAN:

Mr. President, I raise the point of germaneness. Would you rule as to whether the amendment is germane to the bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke, would you take the bill out of the record temporarily so that our Parliamentarian can check the germaneness of the bill? Senator Lemke asks leave to temporarily take Senate Bill 270 out of the Order of 2nd Reading to check its germaneness on the amendment. We will return to it as soon as are Parliamentarian has digested the bill. Senator...on Senate Bill 274, Senator DeAngelis. Read the

bill, Mr. Secretary.

SECRETARY:

Senate Bill 274.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you...thank you, Mr. President...Committee Amendment No. 1, since this privilege is available in all of the hundred and one counties, extends it to Cook County.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Collins.

SENATOR COLLINS:

Could he...could he give us a little more explanation than that? Extends what...

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR COLLINS:

...to Cook County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, the bill itself requires that a taxpayer notify a taxing district when there is a reduction on assessed valuation of more than ten percent. Senator Barkhausen passed a bill last year that does the same thing for every other county except Cook. What the amendment does is to limit this to Cook County because we have a different system in Cook County than the other counties.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

...Senator, do I understand you correctly to say that this bill as proposed to be amended would apply only to Cook County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

The amendment applies to Cook County because the other hundred and one counties have this already. They have a board of review...or we have a board of review, they have a board of appeals. There's two different boards between Cook County and the rest of the counties. All this amendment says, it's Cook County.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Are...are you saying that this bill as proposed to be amended would then provide that the Board of Tax Appeals of Cook County would have the responsibility for making a notification? Are you talking about a notification after review at the administrative level through the board of tax appeals?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

No, the notice is made by the taxpayer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Senator DeAngelis, let me take you through this again slowly. I don't think you understand my question or perhaps you do understand my question and I will take you through it anyway. Are you saying that under this legislation, as proposed, that the...that the decision made at the level of review, that is at the tax...board of tax appeals, that...upon that decision, a notification is required, or are

you saying that the decision that is made at the assessor's office?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

I am saying neither. Senator Joyce, the bill is about one paragraph wrong. This notice is made when a property taxpayer requests a revision of their assessment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Are you...let me...let me ask you this, downstate or the other hundred and one counties that you're talking about, do they have a two-tier level of review similar to what we have in Cook County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Joyce, I don't know, but it doesn't apply to this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, it does apply to this bill if you are saying that a taxpayer...that a taxpayer seeking relief at one level is responsible for making notification as opposed to a taxpayer seeking relief at another level being responsible for making notification. Now, you stood up here and talked about a hundred and one counties, I'll be the first to tell you that I don't understand what they do in the other hundred and one counties. I'm from Cook County and I do know how the system functions there, and if you're going to make comparisons, then I suppose that you have the responsibility of telling us how the other hundred and one counties function.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, all the bill simply states is that any property owner wishing to file a complaint in excess of a hundred thousand dollars shall notify the taxing district, that's all, period.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

What is the...what is the...what...what do you assume or what have you been led to believe or what have you heard is the cost of this to...in terms of...in terms of administrative costs? What is...what...what is involved here? Do you know?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Joyce, do you have a copy of the bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He...Senator Joyce.

SENATOR JEREMIAH JOYCE:

Sure, I have a copy of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

There isn't any cost of administration. The person that's doing it is the property owner.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

So that I have...if I...if...if I receive a notice of valuation on my home, then I...I have the responsibility of...notifying every taxing body?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Mr. President, may I just read this bill? It's only about seven lines long.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He's looking for an answer to the question, I guess, not for...

SENATOR DeANGELIS:

Well, I'm trying to understand his question. The only time there is a notification is when the taxpayer requests a revision.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

If...if I file...if I file a complaint on my home and...it is now my responsibility to notify every taxing district that is involved that draws against my...my property?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Only if you ask for a revision of a hundred thousand dollars or more.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock indicates he can answer this question.

SENATOR ROCK:

Thank you, Mr. President. I'm not attempting to answer, what I'm suggesting is that when one files a complaint...I could go right down Oak Park Avenue where I live and every home in my judgment is in excess of one hundred thousand dollars. The point is, you don't ask for that kind of revision. You cannot ask that I want a hundred thousand dollars worth of relief. You ask for relief and what you're suggesting here, unfortunately, is that any time any property owner

goes in and asks for relief, he's got to send copies to all those taxing districts on...on our bill we get a copy of who's getting what or how much is the levy, and now I've got to send...as a property owner I've got to send a copy to all those folks? Doesn't make any sense.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator bill...Senator Rock, you're arguing the bill, actually, but I will try to respond.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

I'm arguing the amendment because the amendment says this is applicable to where I live and I object to it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, you know, I...I...there is a distinction here, Senator DeAngelis,...between...I think between downstate and Cook County. If...if you...if you file downstate or...perhaps you should tell me, what is the procedure for filing downstate? How do you file? Do you go and file with the assessor and then file with the board of...review?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

I'm not...I'm not qualified to answer it but somebody said there was a two-tiered system downstate and stopped by my desk and said...I don't know. But let me...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Joyce.

SENATOR DeANGELIS:

...can I point out...can I point out something?

SENATOR JEREMIAH JOYCE:

Well, wait a minute, I...I...I...you should know. If you are coming forward and saying that this is only...only going to be applicable to Cook County and then say the reason that it's only going to be applicable to Cook County is because they have this in place downstate. If...are you saying that downstate, if a person goes to the assessor...to his local assessor and...and...and seeks relief or seeks review or do they have a process for him doing that down there that he then notifies all of the...all of the taxing districts that are involved or does he do that when he goes to the board of review?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

And the other one is to spare the...the Assessor of Cook County the same pain the other assessors have. The way the bill reads...the way the law reads right now, it's the assessors responsibility to notify those taxing districts. Through some convincing arguments from the assessor's office who felt that might be burdensome, I changed it to...to the property taxpayer. But let me point out, Senator Rock, we are talking about assessed valuation of a hundred thousand dollars, which would mean in Cook County your house would have to have a value of approximately six hundred thousand dollars and then you would be asking for it to be brought down to almost zero. I mean, I...I...I think it's highly unlikely that that would happen in that case. We're talking about the assessed valuation, we're not talking about the value.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, isn't there...isn't there a...a means by which

a...unit of government can find out or determine whether or not a person is seeking relief from the board of tax appeals right now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

I do not believe they can. They can find out if the assessment has been lowered, yes, but then it's too late.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, it...it...it's not too late and...and I rise in opposition to the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator DeAngelis. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I also rise in opposition to the amendment. If the one thing that we don't need in all of these local governments, especially in Cook County, is an additional barrage of paper work; and for every amendment...for every complaint that's filed that falls into this category, you're going to have approximately anywhere from six to...to a dozen different taxing bodies receiving these notices. Most of those taxing bodies wouldn't know what to do with this thing even after they receive it. There's a process for these determinations in the County of Cook regarding these assessments and it does not involve an adversarial proceeding involving any of those taxing bodies. The amendment, I think, is more harrassment of all of these taxing bodies than it is a benefit to the taxpayer. I think it works, in fact, against both the taxpayer and the taxing bodies with the paper work.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, you know, I think part of this debate ought to be reserved for 3rd reading. The amendment simply puts it in compliance with what's necessary in order to do this in Cook County. That's all it does. The bill itself addresses the issue of the complaint.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

The amendment, as I read it says, this shall be applicable to counties in excess of...how much?

SENATOR DeANGELIS:

Three million or more.

SENATOR ROCK:

How many counties does that apply to?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

One.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Right, and that's why I am standing in opposition to the amendment and requesting a roll call in opposition to the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Let me point out, the other hundred and one counties do it already.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, let me point out that we ought to give the other hundred and one counties a chance to vote on it when it applies to everybody.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis moves the adoption of Amendment No. 1 to Senate Bill 274. Those in favor indicate by saying Aye. A roll call has been requested. Those in favor of adopting Amendment No. 1 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 26, the Nays are 29, none voting Present. The amendment having failed to receive the majority vote is declared lost. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 275, Senator DeAngelis.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 275.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

...Amendment No. 1...the bill itself requires that the Assessor of Cook County develop sales ratios by townships so that people can protest their bills based on the level of assessments. In committee it was pointed out that this might be difficult to do with certain classes of property, so this amendment does two things; one, it...it permits the sales

ratios by quadrants on certain classes of property and, secondly, which is real important, we now have a...a sixth classification in Cook County in which property values can be considerably reduced...or property assessments I should say. What this bill also says that those should be given weighted evidence in the...in the process of determining sales ratios so that we don't get hit with an extraordinary high multiplier because we have, by ordinance, chosen to reduce the assessments on those properties. I urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I'm not sure I understood that explanation. Tell me how the Illinois Department of Revenue fits into this scheme.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, from what I understand, the Illinois Department of Revenue sets the multiplier and they do it based on some ratios. Now, if you take properties that were purposely reduced by ordinance and you take them at their lower value...I think we had a bill similar to this when we allowed land that was going to be developed that had not been developed to be lowered in assessed valuation, but if that wasn't taken into consideration in that manner, it would have an adverse effect on the multiplier.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Maybe...maybe it's just me, it's Friday. I'm...I'm still not understanding what...what...it feels like Friday, right. The bill...with your proposed amendment, it now says, "The review of all complaints," this I presume is by whom? The

review is now by the board of tax appeals, is that where you are?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, it's times like this I wish...I was a lawyer. I'm sorry, President Rock, would you restate your question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

I...I am attempting to...to read the bill with your proposed amendment and it now appears to read, "The review of all complaints shall be based upon the most recent median level of assessment as determined and adjusted by analysis of assessment to sales ratios by the Illinois Department of Revenue," and my question is, why?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I was told that's the way it had to be.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, I...I...it does not have to be that way and I would suggest that this amendment is fatally flawed and...substantively wrong.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis, do you wish to take it out of the record?

SENATOR DeANGELIS:

Well, no, not really. What I want to do is to assure President Rock if it so, I will bring it back and correct it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

SB 283
2nd Reading

Senator Rock.

SENATOR ROCK:

Well, why don't you and I visit on Saturday morning or something, but I'm...I'm...I, for one, am reluctant to...not reluctant, I'm in...standing in opposition to Amendment No. 1 and I think it's ill-conceived.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR DeANGELIS:

Well, I will take it out of the record. In all deference, Senator Rock seems to know more about this area and I do want the amendment to be correct. I do want to caution, however, some of the people that have spoken. I know your opposition to the bill and I know why, and I hope that when you're opposing these amendments that your interest is in making it better and not trying to kill the bill. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Out of the record. 283, Senator Macdonald. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 283.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Yes, this was an agreed amendment in committee and the bill was an agreed bill, and all it does is increase a six percent interest rate to the legal maximum limit. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Macdonald moves the adoption of Amendment No. 1 to Senate Bill 283. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 288, Senator DeAngelis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 288.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. What the committee amendment does is it allows for a readjustment of the school aid's entitlement when the assessed valuation drops ten percent or more. The bill previously was a little more drastic. The committee amendment would then help those other school districts who are in the School Aid Formula from not losing any revenue. Picks up the slack when there's a drop in assessed valuation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator DeAngelis moves the adoption of...adoption of Amendment No. 1 to Senate Bill 288. Those in favor indicate by saying Aye. Those

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

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on a point of personal privilege. We have eighty-one students from Central Junior High in Zion, Illinois, in the...in the gallery to my left and their teachers, Mr. Bellarugal, Mr. Lee, Mr. Audibacher, Miss Olsen and Mrs. Paxton and Mrs. Claveno.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please stand and be recognized. Senate Bill 293, Senator D'Arco. Senate Bill 297, Senator Watson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 297.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments...Amendment No. 1 offered by Senator Berman. Senator Berman.

SENATOR BERMAN:

All right, thank you, Mr...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Is this...thirteen line amendment? This...is this thirteen line...lines one through thirteen...

ACTING SECRETARY: (MR. FERNANDES)

Yes...yes.

SENATOR BERMAN:

...okay. This amendment requires that notice be given before the second presentation of a check that's issued on a...a statement of account or bill. I believe that this is...there's no...opposition by the sponsor to Amendment No. 1. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 297. Is there any discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

...it's the second...this one there is no objection to.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Sangmeister. All right. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

What's the bill number? Oh, they just corrected it. Okay. There wasn't a 287 on the Calendar. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Watson.

SENATOR WATSON:

Just to clarify, Mr. President. The Illinois Retail Merchants do support this amendment. They agree with the amendment, let's put it that way, and we'll accept it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 297. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it.

Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment deals with a rather technical subject of bad checks issued on credit transactions, and I hate at this hour to impose upon everybody, but I've got to give you a little bit of background. Under existing law, if there is a cash transaction between a retailer and a consumer, customer, and I pick up some goods and give them a check and the check bounces, it's a crime because I have taken the goods, the retailer has...transferred possession of those goods. He thought it was a cash deal and when my check bounces, he has been defrauded, he has changed his position thinking it was a cash deal when in fact my check bounced. This bill, 297, changes that law and it...and it goes much farther than the previous law; and what it says is that when the retailer has extended me credit by giving me a credit card and I go into the store, I buy a suit of clothes, I take the clothes home and I give the retailer at that time my credit card, that transaction is a completed transaction. By the issuance of the credit card, the retailer has relied upon a future promise to pay; and under existing law, if I break that future promise to pay, it's...it is not a crime, it is only a breach of a contract to pay. We've abolished and don't have debtors' prisons anymore, up until this bill I might add. Now, this bill tries to say that even though it's a credit transaction and the retailer saw fit after checking out my credit to give me a credit card, the following month I get my statement from the clothing company, ABC Clothing Company, it says I owe them a hundred and fifty dollars for the suit of

clothes. If I do nothing on that bill, I haven't violated anything, they can sue me to collect...the debt. However, if I issue a check for the payment on the credit invoice, this bill says that I'm guilty of a Class A misdemeanor. I want to point out, once they've taken my credit, a credit card that they've issued to me and I issue a bad check, they haven't changed their position at all. My amendment here says that there will be no presumption of fraud by the issuance of a bad check on a credit transaction. Under the bill, if I'd refused to pay the bill, nothing happens. Under the bill, if I issue a bad check the following month on the invoice that I received, I'm guilty of a Class A misdemeanor and there's a presumption that the bad check was issued with the intent to defraud. Well, ladies and gentlemen, that's not always the case and especially today where there are credit card companies that operate out of Podunk, North Dakota, it takes a number of days for checks to clear, and when you issue a check on your Visa Card or a retail credit card, there may be intervening happenings that cause that check which is in transit to bounce; and all I'm doing by this amendment is to prevent you or your constituents from being arrested because you've issued that bad check on the promise to pay on your credit; otherwise, the sheriff can be at your door to arrest you on a Class A misdemeanor. It's technical. It's complicated. But my amendment here simply put says, because the check bounces on your credit card, it's not a crime, that there is no presumption of intent to defraud. I'd be glad to respond to any questions and I apologize for taking all this time in the explanation of this technical amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Berman, you have timed that just perfect.

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, Senator Berman, you indicated this is technical and

it's complicated, but what as I see the bottom line is is you're saying it's all right for it to be a crime when someone issues a check which bounces on a cash transaction, but for some reason, because a retailer sends you a bill that you owe this money, now you send them a check and it's an NSF check, that that shouldn't be a crime. I find it very difficult to get into the logic of that. An NSF check is an NSF check. I don't think we should be doing anything at any time to be encouraging people that because it's on credit we ought to issue...we can take the chance and issue an NSF check. NSF checks should be a violation of the law...a violation of the criminal law; they are, and just because a person is paying a bill that...that's on credit rather than cash, I fail to...to see and distinguish between the two.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I think Senator Sangmeister has...has helped to point out, I...what I think it one flaw in the distinguished Senator's argument that somehow checks issued in exchange or on statements of account or...or on credit should be treated differently than those issued in...in a cash transaction, but I don't really think that is...is the major issue here. I think what is the issue is the fact that the way to overcome the presumption that already exists in the law when one issues a bad check is...is for the person that issues the bad check to make good on it. For the law now requires that the check has to be presented and dishonored twice, not once but twice, and that it has to be presented seven days apart; and now with the addition of Senator Berman's Amendment No. 1, which is going to...which is going to require that the business receiving that bad check give notice to the writer of the check when it's dishonored the first time that the maker of the check is going

to have clear notice that it has been dishonored and is going to have plenty of time to make good on it and thereby will overcome any...any charge of...of criminal conduct. So, I think it's those two things that are...that need to be pointed out. I don't think that there is anyway that the passage of this bill is somehow going to take us back to the era of Charles Dickens and debtors' prisons and...and such nonsense. I...I appreciate that the argument Senator Berman makes is in...in good faith, but I don't think particularly with the addition of his first amendment that it holds any water.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I oppose this amendment because if the Senator on the other side had as many complaints as I have had of people who go ahead and...issue checks flagrantly and don't care...if I'm not...if I'm going to give them by this amendment the right that...they...there isn't a prima facie evidence that he didn't know would...not be paid and so forth, I think we're defeating the very purpose of trying to help the small business. I speak against this amendment and as Senator Barkhausen said, they have a right...to have their check dishonored twice. If they don't know that by the first time it's dishonored, they never will know; and I speak against this amendment and I think we should help the small business maintain their credit 'cause when they go ahead and issue credit on the basis on the checks, they're short in their funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

Senator Berman, does this amendment...eliminates the pre-

sumption of theft. Correct? How would this affect...if this amendment isn't adopted, how would it affect, like, you know, I have my secretary in...in my law office, she writes checks for me, pays bills, and she happens to write an insufficient check, would she be guilty of...of a theft?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

If...if the provisions of this bill are complied with and if she issued the check, she would be subject to arrest and could be convicted of a Class A misdemeanor which is one year in jail and a thousand dollar fine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Lenke.

SENATOR LEMKE:

How about if a...in case you have your wife or your mother or father write a check on your...paying these accounts, without this amendment would they be also be guilty of the same crime?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

That's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lenke.

SENATOR LEMKE:

I think this is a good amendment. It clears up that presumption and takes care of these people that just do...in the normal course of business write checks and they don't know what's in the account and now we're going to make them criminals and the sheriff is going to come knocking at the door and haul my secretary out of the office or my mother out of her house or something like that. I mean, it's ridiculous,...you know, this goes a little too far and I

think the amendment is good and I ask for its...I think it should be adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Well, thank...thank you, Mr. President. A lot has been said already. I just want to make one point that we do oppose the amendment and the retail merchants also oppose it. In all essence, it's going to just put the burden of proof back on to the merchant which I...really doesn't belong and it just pretty well guts the legislation, so I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Berman...further discussion? Senator Berman may close.

SENATOR BERMAN:

Thank you. I think Senator Watson touched exactly on the point of this amendment. We're talking about a Class A misdemeanor which carries with it a penalty of up to a year in jail. In all other crimes the State must prove the fraud. That's all I'm requiring by this amendment, that if fraud took place, the State must prove it before they can put you in jail. This amendment reverses the presumption. The existing law, Senate Bill 297, presumes...presumes that the bad check was issued with intent to defraud; and I'm saying to you, when it's a credit transaction...this does not deal with cash transactions, what I'm saying to you is when it's a credit transaction and a check is issued, the burden ought to be on the prosecutor to establish that there was fraud. This amendment merely removes a presumption of fraud. Make the burden on the person that's going to try to put you or your constituents in jail, that's why I move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman has moved the adoption of Senate...Amendment No...Amendment No. 2 to Senate Bill 297. Those in favor signify by saying Aye. Opposed Nay. In the opinion of the Chair, the Nays have it. Motion...the amendment...Senator Berman has requested a roll call. All right, Senator Berman moves the adoption of Amendment No. 2 to Senate Bill 297. 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...have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 7, the Nays are 37, 1 voting Present. The...the amendment having...the amendment fails. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 298, Senator Karpziel. Mr. Secretary, Senate Bill 298, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 298.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Karpziel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Yes, the provisions of the bill are for all home rule units in the original bill. Amendment No. 1 makes the provisions of the bill apply to all municipalities, and I ask for adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel has moved the adoption of Amendment No. 1 to Senate Bill 298. Is there any discussion? Senator Rock.

SENATOR ROCK:

Explain, if you will, Senator, the current law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

The current law that this...that the bill seeks to change is that other than the City of Chicago, all other municipalities when it comes to license violations...liquor license violations have no recourse other than revocation of the license. The bill says that all home rule units should be able to have...issue fines, et cetera, for license violations. The amendment now says that all municipalities will be allowed to do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

...I...I can agree that home rule units certainly should have. Why...why everybody?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Karpziel.

SENATOR KARPIEL:

Well, there aren't really very many home rule units in the State compared to the number of municipalities and villages, et cetera that...and yet they all issue liquor licenses and all have the same problem as does a home rule unit in the same situation. We've had situations in the district where there have been problems with liquor license violations and there has been no recourse to take care of those situations other than to revoke the license of the establishment. Sometimes you don't want to go that far because sometimes, you know, things can happen, drinks can be served to kids under eighteen and stuff like that, and you

don't want to revoke the license but you do want to issue some kind of penalty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Karpziel has moved the adoption of Amendment No. 1 to Senate Bill 298. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 315, Senator Mahar. On the Order of Senate Bills 2nd Reading is Senate Bill 315, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 315.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. The amendment is the bill. The bill was on the Agreed Bill List. What it does is allow non-home rule communities to set aside five percent of their equalized assessed evaluation or...I'm sorry, three percent, it was reduced to three percent of the EAV for capital improvements. I have filed with the Secretary another amendment. There was a problem that was brought to my attention. The...the amendment...the current amendment says that non-home rule communities under twenty-five thousand apply. The amendment that's at the Secretary's Desk strikes the language of less than twenty-five thousand. So, I would move...I've spoke to the chairman of the Committee on Local Government on this. I move to Table this motion in favor of

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the second amendment which is at the Secretary's Desk.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Mahar moves to Table the...Committee Amendment No. 1. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Mahar.

SENATOR MAHAR:

As I suggested, this...the language...all this...Amendment No. 2, it's exactly the same as Amendment No. 1 with the exception of striking the language, "Having a population of less than twenty-five thousand." And, once again, I remind the members that this applies only to non-home rule communities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar has moved the adoption of Amendment No. 2 to Senate Bill 315. Those in favor...any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 9, Senate Bill 319, Senator Luft. Mr. Secretary, Senate bills 2nd reading is Senate Bill 319, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 319.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Could I ask if there's one or two amendments on this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

There's one committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Okay. Thank you, very much, Mr. President. The committee amendment that was adopted in...in committee struck everything after the...the enacting clause to clarify what we were trying to do in the original bill which was to allow DCCA to designate certain areas in Federal trade zones as recipients of enterprise zone tax credits, and if there...I would move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft has moved the adoption of Committee Amendment No. 1 to Senate Bill 319. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft. Senator Luft on Amendment No. 2.

SENATOR LUFT:

I asked if there was more than one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR LUFT:

Is there a Floor amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

There is indeed.

SENATOR LUFT:

Who offered it?

ACTING SECRETARY: (MR. FERNANDES)

Senator Luft.

SENATOR LUFT:

We got a problem. Take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You want...you want...take it out of the record. Senate Bill 325, Senator D'Arco. Senate Bill 332, Senator Jeremiah Joyce. Senate bills 2nd reading is Senate Bill 332, Mr. Secretary, read the bill.

END OF REEL

AB 319
2nd Reading

REEL #3

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 332.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr...President and members of the committee, amendment...members of the Senate. Amendment No. 1 to Senate Bill 332 is the product of Senator Netsch's chairmanship. It removes the...removes churches and religious organizations and leaves intact private and parochial...private and public schools. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce has moved the adoption of...Amendment No. 1 to Senate Bill 332. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. Apparently the...the problem is now resolved with...Senate Bill 319, Senator Luft. Is there leave to return to that bill? Leave is granted. Senate Bill 319. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 319.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I apologize, I thought we adopted both the...both amendments in committee; but at this point, I would move to Table Committee Amendment No. 1 which is technically incorrect, and that is the reason that I am adopting it. I move to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft moves to Table...

SENATOR LUFT:

...Table.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Committee Amendment No. 1 to Senate Bill 319. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is Tabled. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The Floor amendment does everything that the committee amendment did substantively; however, it is now correctly worded and what we do is allow DCCA to grant enterprise zone tax credits to designated areas in foreign trade zones, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft has moved the adoption of Amendment No. 2 to Senate Bill 349. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 334, Senator Etheredge. Senate Bill 340, Senator Berman. Senator Berman on the Floor? 350. Senate Bill 351...365, Senator Etheredge. 365. Senate bills 2nd reading...Mr. Secretary, 365. Read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 365.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, this amendment brings the level of the grant awards down to that of the Governor's budget.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge moves the adoption of Committee Amendment No. 1 to Senate Bill 365. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 366, Senator Etheredge. Mr. Secretary, Senate bills 2nd reading is 366. Read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 366.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this amendment also brings the...the level of the maximum award down to that that can be accommodated within the Governor's budget. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Etheredge...you've heard the motion. Is there any discussion? Senator Etheredge has moved the adoption of Committee Amendment No. 1 to Senate Bill 366. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd...3rd...any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. There's been a request for UPI to take still pictures. Is leave granted? Leave is granted. All right. Senate Bill 369, Senator Jerome Joyce. Senate Bill 369, Senator Poshard. Mr. Secretary, Senate bills 2nd

reading is Senate Bill 369. Read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 369.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, members of the Senate. This is a technical amendment which simply changes repetitive dates in the bill, dates that would make effective one year later certain provisions in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard has moved the adoption of Committee Amendment No. 1 to Senate Bill 369. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 374, Senator Lenke. Senate bills 2nd reading, Senate Bill 374, Mr. Secretary. Read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 374.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lenke.

SENATOR LEMKE:

What this Amendment 3...Amendment No. 1 does is...is con-
forms this bill to the same as Senator Zito's bill on 172 by
making it in the local government interfractural. Wait...I'm
sorry, it goes into the Illinois Development Financial
Authority, the Floor amendment puts it into the fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lenke has moved the adoption of...Committee
Amendment No. 1 to Senate Bill 374. Any discussion? If not,
those in favor signify by saying Aye. Opposed Nay. The Ayes
have it. Committee Amendment No. 1 is adopted. Any further
committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, we'll return Senate
Bill 374 to the Order of 2nd Reading, the Clerk inadver-
tently...missed an amendment. Is leave granted? Leave is
granted. On...the Order of Senate Bills 2nd Reading is
Senate Bill 374. Senator Schaffer, for what purpose do you
arise?

SENATOR SCHAFFER:

Mr. President, members of the Senate, on a point of per-
sonal privilege. I'd like to introduce the eight grade class
from Riley School District...18 who are in the gallery on the
Democrat side who are not in my district; coincidentally,
they are in Senator Friedland's district who is also in the
gallery.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield, please rise. All right. We are on the Order of Senate Bills 2nd Reading, 374, Mr. Secretary, Amendment No. 2.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2...offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is just specifies that this is an interstructure revolving loan fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Amendment No. 2 to Senate Bill 374. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate...page 10, Senate Bill 378, Senator Bloom. Mr. Secretary, top of page 10 is Senate Bill 378. Read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 378.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

This amendment makes the changes...asked for by the committee, they're primarily technical.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom moves the adoption of Committee Amendment...Senator Bloom moves the adoption of Amendment No. 1 to Senate Bill 378. Any discussion? Senator Welch.

SENATOR WELCH:

...yes, I just had a question of the sponsor. What did the committee ask for? I'm not on that committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Bloom.

SENATOR BLOOM:

As soon as I get the bill file...yeah, I apologize...Senator Welch, the...language of the amendment is not in the bill file. If you could go down and get a copy of the amendment, I'll explain it, Jim. The Secretary...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I have it here and I've read it, it doesn't do much, so...I'm satisfied.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom moves the adoption of Amendment No. 1 to Senate Bill 378. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 380, Senator Kustra. Senate Bill...385, Senator Welch. Mr. Secretary, Senate bills 2nd reading is Senate Bill 385. Read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 385.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment does is, in part it's requested by the Department on Aging. It changes the interagency unit for the alzheimer's disease unit to a task force and places it in the Department of Aging. The size of the task force goes from eleven to eighteen; the responsibilities, however, of the task force itself remain unchanged.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved the adoption of...Committee Amendment No. 1 to Senate Bill 385. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 388, Senator Dawson. Senator Dawson on the Floor? Can I have some...attention, please. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, we're now on 389. I think it's an appropriate place...as indicated, we were going to attempt to conclude our business by two-thirty. The members have commitments and...things to do back in their district. I

would ask the Secretary, with leave of the Body, to go to the Order of Resolutions. Senator Philip has a resolution. We have the adjournment resolution and then we can adopt the Consent Calendar so that we can conclude by two-thirty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll go to the Order of Resolutions. Is leave granted? Leave is granted. On the Order of Resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 55 offered by Senators Philip, Rock and all members.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. I move that we discharge the Executive Committee and ask for the immediate consideration of Senate Joint Resolution 55.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 55. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. This is a resolution memorializing General Motors regarding the Saturn Plant here in Illinois. It's a very sensitive time, a sensitive issue, it would be a great facility for the State of Illinois. And I move the adoption of this Senate Joint Resolution 55.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Philip has moved the adoption of Senate Joint Resolution 55. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 55 is adopted. Further resolutions.

SECRETARY:

Senate Resolution 209 offered by Senator Dudycz and all Senators, congratulatory.

209, Senator Jerome Joyce, congratulatory.

210, Senators Rock, Geo-Karis, Topinka and others and it's congratulatory.

And...Senate Resolution 211, by Senators Newhouse, Chew, Collins, Hall, Jones and Smith and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Mr. Secretary, have there been any objections filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we will add to the printed copy of the Resolutions Consent Calendar Senate Resolutions 205 through Senate...through 211. Those were all congratulatory. Is leave granted to add those? Leave is granted. So ordered. Senator Rock now moves the adoption of the Resolutions Consent Calendar. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Resolutions Consent Calendar is adopted. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I think...Mr. Egler and the members of the press corps have tickets available, don't forget the Gridiron next Wednesday night and the tickets are going rather quickly. Please, before you leave make sure you obtain one. Mr. President, yesterday we afforded leave to the Minority Leader to go back to 1319, which is a bill on 2nd reading, for the purpose of an amendment which we just received from the Reference Bureau. With leave of the Body, I'd like to go to that order and then we'll take the adjournment resolution and we'll be...on our way home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body,...we'll return to

Senate Bill 1319. Previous leave having granted...is leave granted to return to Senate Bill 1319? Leave is granted. Senator Rock. Well, all right...1312. With leave of the Body, we'll return to the...Senate Bill 1312. Mr. Secretary, read the bill, 1312.

SECRETARY:

Senate Bill 1312.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is merely a technical change, it corrects a section number. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip has moved the adoption of Amendment No. 1...to Senate Bill 1312. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the floor?

SECRETARY:

Amendment No. 2 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Yes...basically this is the bill, and I'll tell you what it...what it does. We had a problem in...in the Village of Wheaton, Illinois, we had a referendum to allow them to become wet, they have been dry since 1938, believe it or not.

The law states now that if you have a referendum to go from dry to wet that you use the old boundaries of 1933. Well, of course the city is...probably doubled or tripled in size, people went to the polling place to vote and they...to...to make it wet or dry, whichever your persuasion is, found out that they did not live in the old village boundaries and could not vote. To say the least, it created a lot of dissention and gave the Election Commission more problems than they've ever had in the history of our county. And this merely straightens that law out so that if you would have a referendum to go from wet to dry that you would use the existing boundaries of...of any village in the State of Illinois. Be happy to answer any questions. I move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip has moved the adoption of Amendment No. 2 to Senate Bill 1312. Is there any discussion? Any discussion? Any discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Rock...on the...adjournment resolution. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, right before the adjournment resolution, don't forget on my desk is the St. Louis Cardinals, the 1935 baseball schedule. They're going like hot cakes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

See Senator Vadalabene for the forget-me-not. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

To give everybody final notice that today is the last day

for you to get your reservation and your money to my office or to me if you want a ticket to the Governor's Prayer Breakfast at a down-front table. We had so many tickets reserved for members of the Legislature, and those of you who wish to participate, please, let me know. And if you don't, next week, we will just take your chances wherever we can get you a ticket; but if you want to participate, today is the day. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point, sir.

SENATOR VADALABENE:

Right in the...in the gallery behind me is the Eunice Smith School from Alton, Illinois and I'd like for them to be recognized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise and be recognized by the Senate. Senator Mahar, for what purpose do you arise?

SENATOR MAHAR:

Thank you, Mr. President. I...seek leave of the Body to be added as a hyphenated cosponsor to Senate Bill 230, I have permission of the chief sponsor, and to be deleted as a cosponsor on 195.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Senator Mahar seeks leave of the Body to be added as a hyphenated cosponsor of Senate Bill 230 and to be removed as a cosponsor of Senate Bill 195. Is leave granted? Leave is granted. So ordered. Senator Philip, for what purpose do your arise?

SENATOR PHILIP:

Thank you, Mr. President. I'd like the record to indicate that Senator John Maitland is...in Washington, D.C. attending a National Conference of State Legislators.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will so indicate. Senator Rock on the adjournment resolution. 56.

SECRETARY:

Senate Joint Resolution 56 offered by Senator Rock.

(Secretary reads SJR 56)

SENATOR ROCK:

Thank you, Mr. President. We are leaving momentarily and we're...this adjournment resolution calls for us to return to Springfield next Tuesday at the hour of noon. The House will be in Session tomorrow, we will not. There is also, Mr. President, a rumor afloat that any member who has a press release or wishes to have a press conference has to have a paid receipt to the Gridiron next Wednesday. So I would urge all members to see Mr. Egler and company and make sure that's done. I would move for the suspension of the rules and the immediate consideration and adoption of Senate Joint Resolution 56 which calls for us to return next Tuesday at noon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the...moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 56. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves to adopt Senate Joint Resolution 56. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is carried. Senator Rock now moves that the Senate stand adjourned till Tuesday, May 14th at the hour of noon.