

84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 13, 1986

PRESIDENT:

The hour of noon having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Scott A. Hatfield, Grace Lutheran Church, Springfield, Illinois. Reverend.

REVEREND HATFIELD:

(Prayer given by Reverend Hatfield)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Tuesday, May 6th; Wednesday, May 7th and Thursday, May 8th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

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

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives passed a bill with the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bill 3632.

PRESIDENT:

Resolutions.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 884 offered by Senator Geo-Karis.

885, by Senator Carroll.

And 886, by Senator Mahar.

PRESIDENT:

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

SENATOR TOPINKA:

Yes, Mr. President, while we're waiting, this seemingly being an appropriate moment, could I be added, please, as a joint sponsor to Senate Bill 1522?

PRESIDENT:

Senate Bill 1522, the lady seeks leave to be added as a cosponsor. Without objection, leave is granted. So ordered. If I can have the attention of the membership, we'll begin where we left off last week. If you'll turn to page 16 on the Calendar, we will begin with Senate Bill 2191 and continue on through and then begin on page 20 on the Order of Senate Bills 3rd Reading and we'll work till approximately five-thirty and then start again tomorrow on the Order of 2nd Reading. Senator Philip and I have again discussed that we would prefer that those proposals that relate to the insurance and liability question, given the fact that there is another summit meeting tomorrow afternoon, will be left until Thursday. We will handle...or at least attempt to amend if...if necessary on...on Thursday. All right, we'll begin on Senate...on the Order of Senate Bills 2nd Reading, Senate Bill 2191, Senator Welch. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 2191.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2192, Senator Watson. 2194, Senator Dawson. 2196, Senator Geo-Karis. On the Order of Senate Bills 2nd Reading, in the middle of page 16, is Senate Bill 2196. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2196.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Davidson, 2197. On the Order of Senate Bills 2nd Reading, Senate Bill 2197. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2197.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Davidson.

PRESIDENT:

Senator Davidson on Amendment No. 1.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is an amendment which is technical in nature to correct an error that Enrolling and Engrossing caught and it removes the word "amend." Move the adoption.

PRESIDENT:

All right, Senator Davidson has moved the adoption of Amendment No. 1 to Senate Bill 2197. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Dunn, 2198. On the Order of Senate Bills 2nd Reading, Senate Bill 2198. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2198.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2199, Senator Topinka. On the Order of Senate Bills 2nd Reading, Senate Bill 2199. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2199.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Topinka.

PRESIDENT:

Senator Topinka on Amendment No. 1.

SENATOR TOPINKA:

Yes, the amendment comes out of the Department of Public Health and it creates the Infant Mortality Reduction Advisory Board and also amends the Family Practice Act to include medical specialties of gynecology obstetrics in the definition of the primary care physician. Basically, these are things that should have been done in the first place and are being added in now.

PRESIDENT:

Senator Topinka has moved the adoption of Amendment No. 1 to Senate Bill 2199. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2200, Senator Chew. 2202, Senator Topinka. Top of page...I beg your pardon. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

...as you know, I'm the hyphenated cosponsor with Senator Chew. He has given me a amendment, or his handlers have and with your leave...I've just filed it, if we could get back to it some time today, I would appreciate it.

PRESIDENT:

We'll do it right quick. On the Order of Senate Bills 2nd Reading, Senate Bill 2200. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2200.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Philip.

PRESIDENT:

Senator Philip on Amendment No. 1.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of...of the Senate. Amendment No. 1 amends the Illinois Health Facilities Act. It takes out the hospital service corporations and puts in proprietary hospitals. Be happy to answer any questions. Move the adoption of Amendment No. 1.

PRESIDENT:

All right, Senator Philip has moved the adoption of Amendment No. 1 to Senate Bill 2200. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right, top of page 17, Senator Dudycz on 2204. On the Order of Senate Bills 2nd Reading, the top of page 17, is Senate Bill 2204. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2204.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Dudycz on Committee Amendment No. 1.

SENATOR DUDYCZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 represents changes in the Act which have been agreed to by the Department of Registration and Education and the Detectives' Association, and I move that Committee Amendment No. 1 be adopted.

PRESIDENT:

All right, Senator Dudycz has moved the adoption of Committee Amendment No. 1 to Senate Bill 2204. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2205, Senator Dunn. On the Order of Senate Bills 2nd Reading, Senate Bill 2205, Mr. Secretary.

SECRETARY:

Senate Bill 2205.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2207, Senator Macdonald. On the Order of Senate Bills 2nd Reading, the top of page 17, is Senate Bill 2207, Mr. Secretary.

SECRETARY:

Senate Bill 2207. ✓

(Secretary reads title of bill)

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

PRESIDENT:

Senator Macdonald on Committee Amendment No. 1.

SENATOR MACDONALD:

Thank you, Mr. President. Amendment No. 1 to Senate Bill 2207 merely addresses the concerns of the Illinois Municipal League and makes it abundantly clear that an economic impact study will be prepared following the expedited rule making by the pollution control bill and this bill.

PRESIDENT:

All right, Senator Macdonald has moved the adoption of Committee Amendment No. 1 to Senate Bill 2207. Is there any discussion? Senator Keats.

SENATOR KEATS:

Where does this amendment come from?

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

The Illinois Municipal League. Ken Alderson had some question because he...the Pollution Control Board felt that the economic impact statements were still in place in...I mean, the Environmental Protection Agency felt that the...right of...the economic impact...studies were not hurt at all, but Ken wanted it articulated in the amendment in the bill, so that's all this does.

PRESIDENT:

All right, Senator Macdonald has moved the adoption of Committee Amendment No. 1 to Senate Bill 2207. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.



PRESIDENT:

3rd reading. Middle of page 17, 2211, Senator Macdonald.  
On the Order of Senate Bills 2nd Reading, Senate Bill 2211.  
Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2211.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Macdonald.

PRESIDENT:

Senator Macdonald on Amendment No. 1.

SENATOR MACDONALD:

Thank you, Mr. President. Amendment No. 1 is needed to remove a cloud placed on all site specific standards adopted by the Illinois Pollution Control Board for applications filed after September 9th, 1984 and all requests for site specific relief currently pending before the board. This cloud was created when a 4th District Court of Appeals here in Springfield misinterpreted the legislative intent of Section 28.1 of the Environmental Protection Act in the case of Central Illinois Public Service Company versus Illinois Pollution Control Board. In its order, the court interpreted Section 28.1 to mean that no adjusted or site specific standard could be adopted by the board unless the regulation of general applicability specified the level of justification required of a petitioner to qualify for an adjusted or site specific standard. This was...was and is clearly not the intent of Section 28.1. Section 28.1 of the Act was adopted at the request of the board in order to give the board an optional rule making procedure that would be more streamlined than the existing regular rule making process provided by

Sections 27 and 28 of the Act in the Illinois Administrative Procedures Act, was never intended to replace regular rule making process. This amendment makes it clear that Section 28.1 shall not affect or limit the authority of the board to adopt, amend or repeal regulations specific to individual persons, geographic areas or sites pursuant to Sections 27 and 28 of this Act and will restore the viability of the numerous requests for site specific relief.

PRESIDENT:

All right, Senator Macdonald has moved the adoption of Amendment No. 1 to Senate Bill 2211. Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I just have a question...if I might.

PRESIDENT:

Will the members please be in their seats. Senator Demuzio.

SENATOR DEMUZIO:

Senator Macdonald, you're indicating that this clears up some snafu that...misinterpretation by the 4th Appellate Court. Your amendment says that...your amendment says that the board may adopt regulations specific to individual persons or...or sites. Why would we want to...why would we want to do that? Why...why would we want to make it...only applicable to just...general standard procedures for everyone rather than allowing them this new flexibility to...to do that which they wish in terms of the regulatory process with individuals or...or sites? I...I don't understand why we need to do this.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

It...Senator, it's my understanding because the...that they wanted to make it specific and they wanted this section

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clarified because of the inequity in the interpretation of the law. Now I...this is a...an administration bill. I'll be happy to get that answer for you before we carry this bill on to...to...in 3rd reading before final passage, if you would give me that opportunity. My staff person isn't here beside me today to give me any clarification on it.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

...if...if you could get that information to us clarifying that would...would help us a great deal, because I...I still don't understand other than the court case why would we allow such flexibility to the board to do this on an individual basis or with...with a person or with the sites, so we'd like to have the information.

PRESIDENT:

All right, Senator Macdonald has moved the adoption of Amendment No. 1 to Senate Bill 2211. Any further discussion? If not, all in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments, Mr. Secretary?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Watson on 2212. On the Order of Senate Bills 2nd Reading, the middle of page 17, ladies and gentlemen, is Senate Bill 2212. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2212.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Berman, 2231. 32. 33. Top of page 18, 2271, Senator Savickas. 2273, Senator Schuneman. 2274, Senator Donahue. Top of page 18. On the Order of Senate Bills 2nd Reading, top of page 18, is Senate Bill 2274. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2274.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2275, Senator Rupp. On the Order of Senate Bills 2nd Reading, Senate Bill 2275. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2275.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2276, Senator Barkhausen. 2277, Senator Rupp. On the Order of Senate Bills 2nd Reading, Senate Bill 2277. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2277.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2278, Senator Rupp. On the Order of Senate Bills 2nd Reading, Senate Bill 2278. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2278.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2280, Senator Schuneman. Bottom of page 18, Senator Schuneman. On the Order of Senate Bills 2nd Reading, the bottom of page 18, is Senate Bill 2280. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2280.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Schuneman on Committee Amendment No. 1.

SENATOR SCHUNEMAN:

Yes, thank you, Mr. President. House...Senate Bill 2280 is the Department of Insurance proposal for lengthening the

period of time that insurance companies must give a notice of their intention to cancel or nonrenew policies, and it also provides for a period of time of sixty days in which case an insurance company must give notice if there will be a premium increase of more than fifty percent in a policy liability premium. I move adoption of the amendment.

PRESIDENT:

All right, Senator Schuneman has moved the adoption of Committee Amendment No. 1 to Senate Bill 2280. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Weaver, on the bottom of page 18, 2281. 2282. On the Order of Senate Bills 2nd Reading, Senate Bill 2282, Mr. Secretary.

SECRETARY:

Senate Bill 2282.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Weaver.

PRESIDENT:

Senator Weaver on Amendment No. 1.

SENATOR WEAVER:

Thank you, Mr. President. This is an...an error brought

to my attention by Senate Enrolling and Engrossing. It changes the word "it" to "in." I'd move its adoption.

PRESIDENT:

Senator Weaver has moved the adoption of Amendment No. 1 to Senate Bill 2282. Is there any discussion? If not, all in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Weaver.

PRESIDENT:

Senator Weaver on Amendment No. 2.

SENATOR WEAVER:

Amendment No. 2, Mr. President, is at the request of the Comptroller's Office. It's a technical change to clarify the creation of a special fund, and I'd move its adoption.

PRESIDENT:

All right, Senator Weaver has moved the adoption of Amendment No. 2 to Senate Bill 2282. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 19, 2283, Senator Geo-Karis. On the Order of Senate Bills 2nd Reading, Senate Bill 2283. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2283.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

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2nd Reading*

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2285. On the Order of Senate Bills 2nd Reading, Senate Bill 2285. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2285.

(Secretary reads title of bill)

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

PRESIDENT:

Senator DeAngelis on Committee Amendment No. 1.

SENATOR DeANGELIS:

Thank you, Mr. President. Committee Amendment No. 1 describes the corridors of opportunity that are designated, the regions they represent, the allocations of the funds for that particular region and any marketing or feasibility studies done by those corridors. I move for the adoption of Committee Amendment No. 1.

PRESIDENT:

All right, Senator DeAngelis has moved the adoption of Committee Amendment No. 1 to Senate Bill 2285. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2286, Senator Keats. On the Order of Senate Bills 2nd Reading, Senate Bill 2286. Read the bill,



JB 2288  
2nd reading

Mr. Secretary.

SECRETARY:

Senate Bill 2286.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Keats on Committee Amendment No. 1.

SENATOR KEATS:

A technical amendment that was agreed on in committee.

PRESIDENT:

Senator Keats has moved the adoption of Committee Amendment No. 1 to Senate Bill 2286. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Kustra, 2288. On the Order of Senate Bills 2nd Reading, Senate Bill 2288, Mr. Secretary.

SECRETARY:

Senate Bill 2288.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Kustra on Committee Amendment No. 1.

SENATOR KUSTRA:

Thank you, Mr. President. Committee Amendment No. 1 was

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2nd Reading

a technical amendment which clarified the words "the responsibilities given the director."

PRESIDENT:

All right, Senator Kustra has moved the adoption of Committee Amendment No. 1 to Senate Bill 2288. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2289, Senator Kustra. 2292, Senator Karpel. On the Order of Senate Bills 2nd Reading, Senate Bill 2292. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2292.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Karpel.

PRESIDENT:

Senator Karpel on Amendment No. 1.

SENATOR KARPIEL:

Yes, thank you, Mr. President. Could I have the Clerk...Secretary please read...I have two amendments, I don't know which one is Amendment 1. Do you have two amendments or only one? All right, Amendment No. 1 is a technical amendment that was suggested by Enrolling and Engrossing.

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PRESIDENT:

All right, Senator Karpel has moved the adoption of Amendment No. 1 to Senate Bill 2292. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

Any...3rd reading. Senator Geo-Karis, 2293. On the Order of Senate Bills 2nd Reading, the middle of page 19, is Senate Bill 2293. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2293.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Geo-Karis on Committee Amendment No. 1.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Committee Amendment No. 1 amends the...page 2 by deleting lines 13 and 14 and inserting in lieu thereof the following, "Be commenced with one year...within one year of the victim attaining the age of eighteen years; however, in no such case shall the time period for prosecution expire sooner than three years after the commission," and then it also amends...and it says, "When the victim is," and then on page 2 by...by deleting lines 18 through 20 and inserting thereof the following, "Within one year of the victim attaining the age of eighteen years; however, in no such case shall the time period for prosecution expire sooner than three years after the commission of the offense." And then on page 2 line 21, by deleting "twenty-first birthday." I move

the...passage of this amendment.

PRESIDENT:

All right, Senator Geo-Karis has moved the adoption of Committee Amendment No. 1 to Senate Bill 2293. Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Geo-Karis, is this...is this a...a committee amendment that we are adopting here or a Floor amendment?

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

I believe it was a Floor amendment that was given to me by the Department of...the State Police.

PRESIDENT:

We...we are, in fact, on Committee Amendment No. 1. Senator Geo-Karis.

SENATOR GEO-KARIS:

Was that a committee amendment? It was...I'm sorry, it was a committee amendment. Yeah, I take it back.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, you explained it so well, I guess...I understand it perfectly now. Thank you.

PRESIDENT:

All right, Senator Geo-Karis has moved the adoption of Committee Amendment No. 1 to Senate Bill 2293. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Geo-Karis.

PRESIDENT:

Senator Geo-Karis on Amendment No. 2.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 2 simply amends Senate Bill 2293 on page 6, line 31, by deleting the word "has" and inserting in lieu thereof "have." And I move the passage of this amendment.

PRESIDENT:

All right, Senator Geo-Karis has moved the adoption of Amendment No. 2 to Senate Bill 2293. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Karpel, Senate Bill 2294. On the Order of Senate Bills 2nd Reading, Senate Bill 2294, read the bill.

SECRETARY:

Senate Bill 2294. ✓

(Secretary reads title of bill)

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

PRESIDENT:

Senator Karpel on Committee Amendment No. 1. Senator Karpel.

SENATOR KARPIEL:

I think we ought to take this out of the record 'cause I don't have an amendment.

PRESIDENT:

Take it out of the record, Mr. Secretary. 2295, Senator

Kustra. On the Order of Senate Bills 2nd Reading, Senate Bill 2295. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2295.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2296, Senator Kustra. On the Order of Senate Bills 2nd Reading, Senate Bill 2296, Mr. Secretary.

SECRETARY:

Senate Bill 2296.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Kustra.

PRESIDENT:

Senator Kustra on...on Amendment No. 1.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This legislation is the child protection legislation. The amendment before us was prepared by the Department of State Police at the request of Senator Marovitz to answer a concern he had which had been expressed in situations where a defendant acts as his own legal counsel in cases involving...child sex offenses, and the amendment states that when representing himself, such a defendant may question the child directly. It has been agreed to by all parties and I would move for its adoption.

PRESIDENT:

All right, Senator Kustra has moved the adoption of Amendment No. 1 to Senate Bill 2296. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2300, Senator Joyce.

PRESIDENT:

On the Order of Senate Bills 2nd Reading is Senate Bill 2300. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2300.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jeremiah Joyce.

PRESIDENT:

Senator Joyce on Amendment No. 1.

SECRETARY:

It's the shorter one.

SENATOR JEREMIAH JOYCE:

Yeah, that's right. Thank you, Mr. President and members of the Senate. Amendment No. 1 comes to us from the Reference Bureau. It's technical in nature and I move its adoption at this time.

PRESIDENT:

All right, Senator Joyce has moved the adoption of Amendment No. 1 to Senate Bill 2300. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The

Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Jeremiah Joyce.

PRESIDENT:

Senator Joyce on Amendment No. 2.

SENATOR JEREMIAH JOYCE:

Yes, Amendment No. 2 I believe was discussed in committee. The commissioner seeks to provide an alternative by allowing the State Treasurer to also invest these funds in addition to the State Board of Investment, and I move its adoption.

PRESIDENT:

Senator Joyce has moved the adoption of Amendment No. 2 to Senate Bill 2300. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2301. Top of page 20. 2302, Senator Watson. On the Order of Senate Bills 2nd Reading is Senate Bill 2302. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2302.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Watson on Committee Amendment No. 1.

SENATOR WATSON:

Thank you, Mr. President. Committee Amendment No. 1 provides that only the...the appointing authority may remove a public member from the authority, and the bill in its orig-



inal form gave that opportunity only to the Governor...he gave that authority only to the Governor and he...even though he appoints four out of eight. So, what we're doing now is simply saying that whoever appointed the individual will also have the opportunity to reappoint them.

PRESIDENT:

All right, Senator Watson has moved the adoption of Committee Amendment No. 1 to Senate Bill 2302. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. All right, pursuant to the earlier announcement and the agreement with Senator Philip, we'll begin on Senate bills 3rd reading. I'd ask the members to pay attention. We're going to go right down the list. We'll start on 3rd reading, conclude today's business whenever we conclude and tomorrow morning at nine-thirty we will again start at the beginning on Senate bills 2nd reading. On the Order of Senate Bills 3rd Reading, Senate Bill 1492, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1492.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill does just as the Calendar indicates. It would permit the district commissioners of the Kane County Forest Preserve District to dispense beer and wine at sporting and...at sporting events and concerts. I'd be very happy to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1492 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 7, 1 voting Present. Senate Bill 1492 having received the required constitutional majority is declared passed. 1502, Senator Geo-Karis. Senate bills 3rd reading is Senate Bill 1502, Mr. Secretary.

SECRETARY:

Senate Bill 1502.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 1502 authorizes units of local government, school districts and community college districts to establish a plan of...of tax sheltered benefits for their officials and employees. This is similar to the law that we passed and which I sponsored last year which established the same program for State employees, and I urge your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1502 pass. Those in favor will vote Aye. Those

opposed will Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, none voting Present. Senate Bill 1502 having received the required constitutional majority is declared passed. Senate Bill 1514, Mr. Secretary. Senate bills 3rd...3rd reading is Senate Bill 1514. Read the bill, please.

SECRETARY:

Senate Bill 1514.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1514 is an amendment to the Illinois Municipal Retirement Fund Article of the Pension Code. It was suggested and brought to my attention by the fund and it provides that they will be empowered to employ their own treasurer. Currently,...historically, since 1941, the State Treasurer has been the de facto treasurer. It is purely a ministerial function. The State Treasurer agrees with this legislation. I know of no objection and I would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right, discussion? Senator Keats.

SENATOR KEATS:

Just as minority spokesman, the bill, actually, is an excellent cleanup idea despite the fact it sounds more controversial than it is. It came out of committee on a unanimous roll call.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right, further discussion? If not, the question is,

shall Senate Bill 1514 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1514 having received the required constitutional majority is declared passed. Senate bills 3rd reading is Senate Bill 1517, Mr. Secretary.

SECRETARY:

Senate Bill 1517.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is provides that the president of a subdistrict advisory council to the Chicago...Board of Education shall be a parent of a child currently enrolled and we add the word "formerly enrolled in the school within the district." This is a bill that came out of a problem that occurred with the last bill we passed, and some of the people have been serving on these district councils have been on for a while and their children have left school and they still want to serve and the parents in the area want them to serve because of their...their experience in getting around the Chicago Board of Education. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? If not, the question is, shall Senate Bill 1517 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1517 having

*SB 1521  
3rd Reading*

received the required constitutional majority is declared passed. Senate Bill 1520. Senate Bill 1521. All right, Senate bills 3rd reading, middle of page 20, is Senate Bill 1521. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1521.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Last year we created the Residential Service Authority and that was quite a...quite a change and we knew there were going to need to be some adjustments in that legislation, so we introduced Senate Bill 1521 as a shell bill and told you all that and the amendments that we now have placed on the bill do but four things. First of all, it transfers the language into Article XIV of the School Code to make it more accessible and adds an immediate effective date, and the major change is that it changes the date for recommendations relative to the dispute determinations from April 1 of '86 until April 1 of 1987, and also adds as a member of the RSA the newly created agency, the Department of Alcohol and Substance Abuse as a member of the authority.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1521 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 50, the Nays are none, none voting Present. Senate Bill 1521 having received the constitutional majority is declared passed. Senator Poshard, for what purpose do you seek recognition?

SENATOR POSHARD:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR POSHARD:

Recognition of a guest. Mr. President, in our gallery to the rear, to my left, I have a guest from my district, Mr. Frank Caliper, who is mayor of Colp, Illinois. Frank is in the Guinness Book of World Records as the longest running mayor in the history of the United States. He has been Mayor of Colp, Illinois for fifty-seven straight years, and his son, Tom, and a member of his city council is here with him. Like to recognize Mr. Caliper.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please stand and be recognized. Senate Bill 1558, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1558.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1558 is sort of like trying to catch the horse after it's left the barn. I had an incident in...in my community where there was a...a person who tempted to use a red oscillating light to portray himself as a police officer and in fact stopped a young lady and it was a very, very unfortunate affair. As a matter of fact, she was...she was...she was murdered. An examination of the law, it indicated that a person who unlawfully utilizes a red or amber or blue oscillating light, the crime was only a petty offense up to five hundred dollars for the first and

second convictions and a Class C misdemeanor. This bill would provide that the unauthorized use of a red oscillating light would be a...a violation if that person was...utilizing that to detain another person, and it would make it a Class 4 felony of one to three years and a ten thousand dollar fine. I don't know of any...any opponents in the...in the Senate. I think everyone is pretty well aware of the...of the case and I would, at this time, ask for a favorable consideration from the Senate in reference to this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I would feel remiss if I didn't at least rise in...in strong support of Senator Demuzio's bill. I think he's to be commended for putting it in. The young lady in question lives in Downers Grove which is the town where I live. I knew her and I have known her parents over a good many years and I...I can appreciate the trauma which they are still going through. Three young crazies, as the Senator has indicated, pulled this...enticed this young girl out of her car and into a corn field and subsequently there was a rape and a murder of the young...of a young girl; and if this bill...this law will serve to put some teeth into the existing Statute, and I believe that it will, it certainly deserves the support of everyone here, and again, my commendations to Senator Demuzio for introducing it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I, too, add my commendations to Senator Demuzio for this bill because we had a situation in my county except this young lady was not that unfortunate as the young lady from Senator

Hudson's county, and I think this is a well needed bill and it's about time we had it to get some of these unauthorized creeps off the streets.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR DEMUZIO:

Well, thank you, Mr. President. I...I would seek...approval of the Senate for 1558.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1558 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill 1558 having received the constitutional majority is declared passed. Senate Bill 1563, Senator Darrow. Senate Bill 1564, Senator Darrow. Senate Bill 1565, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1565.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does is requires a judge to...impose an extended term on a person convicted of an aggravated criminal sexual assault with an offender who is at least seventeen year or under. I think it's a good bill and I ask for its adoption. This is to solve a problem that occurred recently in our area. Senator Topinka and I are in Cicero and Berwyn where a man got out of jail after three years of raping a little kid and about a week later they went out and raped another three-year old...child. I think a man like this



should be put away. If we put residential burglars away, this type of person should be put away for at least thirty to sixty years. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. According to our...would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR FAWELL:

According to our analysis, it says that there was going to be an amendment added on this which would...give this extended term...leave it with the discretion of the courts because, you know, what we're doing is we're...we're saying that any...anybody who...seventeen years or older will be automatically sentenced thirty to sixty years for this offense. Is...and...and there's absolutely no probation. Is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

This...this would make it Class X, that's correct. And I...I...apparently there was supposed to be an amendment changing a word in here, and I don't see the amendment on the bill, so let's take it out of the record until we get that amendment. I thought the amendment was on it but...I'm sorry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 1570, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1570.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 1570 adds the offense of knowingly filing a false request for an ambulance or paramedic to the crime of disorderly conduct. As you know, ...filing a false fire alarm falls in that category and many of the other communities the paramedics and the firemen are the same people, and in many instances private ambulance services are doing the paramedic call, and I ask for your support in adding this to the crime of disorderly conduct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1570 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill 1570 having received the constitutional majority is declared passed. Senate Bill 1574, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1574. ✓

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill 1574 extends for an additional year the provision that elementary districts may receive a supplementary payment based on the provisions of the General State Aid Formula which was in existence prior to the Education Reform Act of last year. It has been agreed by all segments of the edu-

cation community that this provision should be extended pending studies of a new State Aid Formula. I know of no opposition and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1574 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1574 having received the constitutional majority is declared passed. Senate Bill 1580, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1580.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. The changes proposed in Senate Bill 1580 will help to upgrade the quality of Illinois stallions by creating an Illinois stallion stakes. Senate Bill 1580 will also provide greater incentive for owners to race their Illinois horses in Illinois against horses raced in other states. There will be no negative...fiscal impact on the State or tracks as a result of the enactment of this legislation, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill...Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, what's...was there any agreement reached between the...the small horse breeders in this State and the large horse breeders as respects the provision in the bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yeah...yes, Senator Schuneman, this is a thoroughbred breeders bill rather than a standardbred.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 1580 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1580 having received the constitutional majority is declared passed. Senate Bill 1581, Senator Fawell. Senate Bill 1589, Senator Barkhausen. Senate Bill 1597, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1597.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 1597 amends the Aeronautics Act to delete the provisions of denying the right of eminent domain to an adjoining state or its political subdivision which is maintaining or building airport facilities in Illinois. What this basically does, it creates a reciprocal agreement between Illinois and Indiana. There's only one

airport that lies on the border. They need the ability to get some air space and this is the only way we can do it. I'd appreciate your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I also...I rise to support Senator DeAngelis on the Senate Bill 1597. This would accommodate the Village of Lansing airport in working with the State of Indiana. We...we need some...certain clearing zone area in...in Indiana and this would at least facilitate that and I would ask for your support of this...Senate bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WATSON:

This only affects the Lansing Airport?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 1597 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted

who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1597 having received the constitutional majority is declared passed. Senate Bill 1601, Senator Topinka. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1601.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this bill would basically prevent the City of Chicago ordinance on mandatory seat belts on school buses from applying to children on these school buses and school buses coming in from outside the City of Chicago. It passed out of committee with no opposition. It does not affect the City of Chicago ordinance, that stays put and applies to the City of Chicago just as it does now, but it basically exempts our suburban kids who right now cannot use the cultural aspects of the City of Chicago which their...parents pay for, of course, through tax funds as does everyone else. So, I would appreciate your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I also rise for Senate Bill 1601. As I understand, the students in my school district which is in suburban Cook County are not permitted in many instances to go into Chicago and to attend the museums and the art institute and other places like that...and...this certainly is unfair particularly to the many students who attend the grammar schools out...in

outlying areas of metropolitan Chicago. So, I commend the Senator for sponsoring this bill, very proudly support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 1601 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have...have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 2, none voting Present. Senate Bill 1601 having received the constitutional majority is declared passed. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I would like for you to greet a group of students here who are visiting the Illinois Chamber today who are foreign exchange students sponsored by the Rotary Clubs from throughout the world. The ones I met this morning I know were from Finland and New Zealand and West Germany and couple of other nations which I've forgotten, but I'd like for them to stand and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they stand and be recognized. For what purpose Senator Demuzio arise?

SENATOR DEMUZIO:

Well, Mr. President, while I was reaching over to...for your wishes, when I came back, I hit the wrong button and I hit...the No switch, so I'd like the record to reflect that I would have voted in...in favor of 1601 had I been voting properly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Let record show that had Senator Demuzio been paying

attention, he would have voted Aye. The record will so indicate, Senator Demuzio. Thank you for taking care of my concerns there. Senate Bill 1614, Senator Holmberg. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1614.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Senate Bill 1614 was amended in committee so that it does not appear as it does in...in the Calendar...and this meets the objections of the Department of Commerce and...and Consumer Affairs. As it is now for enterprise zones, it gives preference on State contracts to a bidder whose business is in an enterprise zone and whose bid is no more than two percent higher than a lower bid. This is to give those small and struggling businesses within an enterprise zone a little bit of an advantage in bidding on State contracts, and I recommend its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR SCHUNEMAN:

I'm curious about what you just said about this bill. For example, if a contractor wanting to bid on a road building project in this State were to locate his headquarters in an enterprise zone, would he then be able to bid two percent more on a contract and be assured that he would get preferential treatment?



PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

The...intent of the...of the bill is to allow them to have a preferential bid on a State contract if it falls no more than two percent. It's a very slight edge, but they would have a slight preference.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I'm not particularly against the concept that I think you're trying to achieve, but I wonder...I wonder if, in fact, you have achieved it. It seems to me that this...this would lay us open for the possibility of contractors and others who are bidding on public contracts to simply use this as a way of increasing their bid simply by changing, for example, their...their corporate headquarters or their office headquarters into some area which is in an enterprise zone. Is...is my...others who may know more about this bill perhaps could speak better to it than...than I, because this is my first study of it, but I'd be curious to know what your reaction is to that, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Well,...I can see where the Senator's objections are coming from. I think it is probably pretty far extended to surmise that this would be...happen. The...the benefits are to the enterprise zone. The Department of Commerce signed in in favor of the bill. They think it's the incentive that they could also use to encourage businesses to reside within the enterprise zone and to bring back those sections of cities that are failing. We want to encourage businesses to locate there, this is part of that package that will give

them that incentive.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, but...to the members of the Senate, the concept of the enterprise zone was basically to allow local tax relief for organizations that would move into depressed areas, locate there, actually be members of that community and...and provide employment in that community; and I think the more that we tinker and tamper with our...with our bidding laws of this State, the...the more prone we become to all kinds of business manipulations of the bidding process. So, I would simply urge some caution about passing bills like this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR HOLMBERG:

Once again I mention the fact that this is a bill that came out of Rockford...a suggestion by Rockford. It has been cleared with the Department of Commerce. The Department of Revenue sees no problems with this. Those of us in...who were present at the committee hearing felt that this was just one of a series of incentives that was really needed if we were going to make enterprise zones survive, a little bit of an incentive on State contracts only for those businesses choosing to locate within the enterprise zone, and I urge its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1614 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 18, none voting Present. Senate Bill

1614 having received the constitutional majority is declared passed. Senate Bill 1632, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1632.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does...employs a consumer to...cancel a contract for home repair services within three days after the execution of such a contract. This conforms the law as far as home remodeling to the...the same as...a contract for the sale of merchandising involving twenty-five dollars or more. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1632 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1632 having received the constitutional majority is declared passed. Senate Bill 1659. Senate Bill 1662, Senator Welch. Read the bill, Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

Senate Bill 1662.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does is allow for the third year in a row the Department of Commerce and Community Affairs to certify up to twelve enterprise zones in the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

And will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR FAWELL:

Will you please tell me now how many enterprise zones this will bring us up to?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Ah...let's see...twenty-eight, not counting the eight that were named last week, that would be twenty-eight and eight is thirty-six.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Fawell.

SENATOR FAWELL:

...according to our analysis, it's going to bring it up to a total of forty-four, forty-four enterprise zones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Look...looking...adding my figures and seeing the number on the...analysis comes to two different ones. It says there were thirty-two plus eight that were awarded, that would be forty-four, yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Could you tell me where these new enterprise zones are going to be, these twelve new ones?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Welch.

SENATOR WELCH:

Well, Senator, I can give you the list of twelve. There's Pekin, Mt. Vernon, Morton, Champaign, LaSalle-Peru, McCook, Ottawa, Washington, Harvey, Macomb, Kankakee, Alton and Cairo. That's thirteen applicants and the bill would authorize, not require, the department to name up to twelve.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DeANGELIS:

Senator Welch, the names that you read off, are those current applicants or applicants from last year?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Those are current applicants, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, my concern is that...and I'm hearing it back home, I do have an enterprise zone in my district...that if we continue making all these other zones...enterprise zones, particularly when there isn't very much competition for making them zones, what value is the enterprise zone to those communities that really need it. We might as well go ahead and make the whole State an enterprise zone and then forget about going through this ritual each year. There's thirteen people applying for twelve slots. That, to me, doesn't...show very much competition. And I think if we continue doing this, we're going to find that one of these years there will be less applicants than there are slots, and then we're going to go ahead and make areas like Olympia Fields enterprise zones, because I'll put it in.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There further discussion? If not, Senator Welch may close.

SENATOR WELCH:

Well, Senator DeAngelis, it's always a pleasure to defend one of the Governor's programs as I...I have to do here. This was a proposal to create forty-eight enterprise zones and what has happened is there is still a remaining number between the thirty-two that have already been awarded, the eight designated last week and the forty-eight that were authorized prior to my being a member of this State Senate. I would just say that enterprise zones give the opportunity for competition to the entire State of Illinois. The initial concept, I think, was a sound one. I think that we should go ahead and authorize the Department of Commerce and Community Affairs, in their wisdom, to decide whether to award four more zones or not this year. I'd appreciate an affirmative vote.

SB 1673  
3rd reading

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PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1662 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 3,...1 voting Present. Senate Bill 1662 having received the constitutional majority is declared passed. Senate Bill 1673, Senator Topinka. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1673.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:.

Yes, Mr. President and Ladies and Gentlemen of the Senate, this bill permits the Illinois Department of Transportation to regulate lane usage on multilane highways with two or more lanes in one direction. And with its amendment it allows trucks in that capacity to make turns whenever...you know, whenever they need to and to use another lane. It was worked out over the summer by the Secretary of State's Office, Department of Transportation, the State Police, the trucking industry and the city...the Village of LaGrange where it most applicably applies. There was no opposition in committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Maitland.

SENATOR MAITLAND:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR MAITLAND:

Senator, I have one concern. I introduced legislation

last year that would allow for some variance where the Department of Transportation had been making some rulings as to what lanes trucks would travel in and what lanes automobiles traveled in. And I felt that in many cases small pickup trucks, especially the minisize pickup trucks, need not travel or be forced to travel in the lane where heavy trucks are traveling. That legislation did not reach much success in the Transportation Committee. I still think it's an...it's a reasonable approach and I guess my concern is, your bill might extend to downstate what the City of Chicago is doing on the expressways there and prohibit small pickup trucks from traveling in those so-called fast lanes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

I don't have the bill exactly in front of me, I just have the analysis. But it strikes me when we worked this out that we also...talked about the size and the weight of the trucks involved, and as I recall, it did not involve pickup trucks.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

What I would only remind you, Senator, and I...those of you from Chicago can correct me if I'm wrong, but I believe the distinction is trucks must travel those right two lanes and if a pickup truck is traveling...a small pickup truck is traveling that outside lane, they are subject to arrest and are arrested. I'm just...I...I think that ought to be changed and I'm not sure that it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Topinka may close.

SENATOR TOPINKA:

Considering that the Department of State Police worked rather diligently with us on this bill, they didn't seem to



feel that that was a problem. And since they were involved, you know, on a...on a real grass-roots basis, I think we can also kind of make them aware of this situation so that they don't create a problem for you. And if there's further need down the road to solve Senator Maitland's problem, I'm sure we can address it at that time. In the meanwhile, I think we do take care of a...a bigger type problem and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1673 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1673 having received the constitutional majority is declared passed. Senate Bill 1704, Senator Berman. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1704.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senate Bill 1704 codifies the agreement that was reached as a basis for the settlement of the Chicago teachers' strike last September. What it does is to accelerate State aid payments for all the school districts throughout the State of Illinois. What it provides is for an acceleration from September of '86 to August of '86 in the first year and two twenty-fourths of a payment for the second year, and then it readjusts that in the third year. The impact is felt in Chicago because of Chicago's fiscal year, that September through August. I know of no opposition. I

ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1704 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1704 having received the constitutional majority is declared passed. 1705, Senator Berman. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1705.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1705 is the product of hearings held by the Joint Committee on the Oversight of Education Reform and the bill is cosponsored by all of those Senate members. The language that we have used in the...Education Reform Act, Senate Bill 730 last year, was admittedly confusing to high schools and physical education instructors regarding the approach...new approach to allowing students to opt out of certain portions of physical education. What this bill does is to authorize, not mandate but to authorize, school boards to excuse pupils in grades eleven and twelve from engaging in...physical education if those pupils request to be excused for any one of the following reasons, which are the same three as we had previously, namely; number one, participation in...interscholastic athletics; two, to enroll in classes required for admission to college; or three, to enroll in classes required for high school graduation. Senate Bill

1705 is necessary to clarify the legislative intent behind this provision. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, this is an issue that I've been interested in for a long time and I thought we'd solved it in Senate Bill 730. But I did hear some criticize...some criticism after that bill passed that apparently indicated that some schools felt that they were mandated to excuse kids whether the kids really wanted to be excused or not, is...and...is...is that...is that the concern that you're addressing here? Obviously there's agreement on this and I'm sorry to bring it up, but I want to know.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Yes, that's...essentially the...the problem. One sentence in 730 said may and other sentence said shall and there was total confusion, this is to clarify that. Take out the shall and it's permissive with the school districts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Just one other point, then. Is...so that...the individual student now must request that they be excused and...and now...and that...this provides then that the school in that instance shall?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

The way it will work is...it will be up to the school districts, if they wish, to adopt a policy for excusing students under these three classifications. If the school board...adopts that policy, then it's up to the individual students to request the opt out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, so then what we're doing by this bill is...is in effect putting us back to some extent where we were before in that under the old law the...the school district could not make the judgment that the kids should be excused. Now we're saying the school board can adopt a policy which obviously has to apply to all kids that they can be excused. But obviously this matter is going to be a subject of collective bargaining in the future as opposed to the State requiring that they excuse kids if they request the excuse. Is that a fair statement?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

I guess my honest answer is, I'm not sure, because what we are saying is that school boards by law are going to have the authority to adopt this policy. I...I'm not sure, I guess the second question would be, can they bargain away that right? I'm not sure. That's why I say, I'm not sure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. I rise in support of Senator Berman's bill. My concern when this issue came up was the issue of local control. Some school boards felt that they were being forced by the Edu-

cation Reform Act to excuse students, and there seems to be a handful of school boards out there who would rather have their students take four years of physical education and do not want to excuse them. So what we're doing by this particular change in legislation is reestablishing the principle of local control. For those school boards which want to excuse their students, they may establish a policy. For those who do not and want to do things the old way, they can continue that way. And I urge your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1705 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1705 having received the constitutional majority is declared passed. Senate Bill 1706, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1706.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Last year the Senate...passed a bill which allowed Department of Commerce and Community...Community Affairs to designate certain areas in a Federal trade zone...Federally designated trade zone as the recipient of enterprise zone credits. We forgot to put in foreign trade subzones, that's what this bill does. We also left out two of the incentives, investment tax credit and dividend deductions in that bill; and this bill simply brings us up to date on what is available and who can comply for

SB 1799  
3rd reading

enterprise zone tax benefits in Federally designated zones and subzones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1706 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1706 having received the constitutional majority is declared passed. Senate Bill 1735, Senator Macdonald. Senator Macdonald. Senate Bill 1799, Senator Smith. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1799.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman and members of the Senate. Senate Bill 1799 will permanently correct the composite rate problem in the Chicago Board of Education Building Fund. In the past last Legislative Session the composite rate problem was corrected for the Fiscal 1986 extension only. It provided additional revenues of twelve million eight hundred thousand dollars to the Chicago Board of Education for Fiscal Year 1985. This present legislation will properly correct the composite rate problem for Fiscal Year 1987 and each year thereafter. It will also provide that the Chicago Board of Education with additional revenues for the year 1987 of ten million dollars and in Fiscal Year 1988 approximately fourteen million dollars. I ask for your favorable vote on this piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1799 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 1 voting Present. Senate Bill 1799 having received the constitutional majority is declared passed. Senate Bill 1804, Senator Berman. Senate Bill 1809, Senator Demuzio. Senate Bill 1815, Senator Etheredge. Senate Bill 1837, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1837.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senate Bill 1837 would designate a fifteen mile stretch of the Middle Fork River in Vermillion County as a...permanently protected wild and scenic river. This would apply to land owned by the Department of Conservation; other land along the river would not be affected unless they chose to join. If there are any questions, I'd be happy to try to answer them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1837 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. Yep. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1837 having received the constitutional majority is declared passed. Senate Bill 1845, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1845.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Last year the General Assembly passed a bill which would allow joint custody in certain situations where the parties agreed to joint custody and it was in the best interest of the child. Senator Kustra sponsored that bill along with myself. There has been a lot of instances, which I'm sure many of you would know, where the noncustodial parent makes arrangement for visitation and let's the custodial parent know that they're going to be coming over at a certain time, see the kids on the weekend, the kids get ready, the custodial parent makes plans and the noncustodial parent never shows up. The kids are traumatized, the custodial parent can't make their own plans, life is disrupted. This bill would say that in...strictly in joint custodial situations where there has been willful and repeated abuses of visitation privileges in a joint custody situation that joint custody could be terminated...in those situations where it has been willful and repeated violation of visitation disrupting the family and the kids. It also says that where there has been evidence of domestic violence that there should not be a presumption of joint custody and that that evidence of domestic violence should be taken into consideration by the judge. I know of no opposition...of this legislation by anyone and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rupp.

SENATOR RUPP:

Thank you...thank you, Mr. President. My question is,



you are talking about visitation, I think you're just telling one side of it. Many, many instances that we get reported is where the one...the noncustodial parent goes over and the custodial parent says they can't go today, they didn't give them the bath, they didn't have them dressed, I think you should have it go both ways. The way your bill...the way you explained it, it's a one way street. I think it should take care of the other side too.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

...Mr. President, I'd like to ask a question of sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Kelly.

SENATOR KELLY:

Senator Marovitz, you indicated that there would be...if there was willful violations and a continuous abuse of this privilege, then the custodial parent, if they can prove it, what I'd like to know is, what do you have in the way of proof that someone has done this? Are you taking the word of...of the custodial parent or how can you tell and how many abuses are considered a...a violation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I think this...this would answer both questions. First of all, I totally agree with Senator Rupp and I totally agree with Senator Kelly's questions. The bill does deal with both sides because the bill says either party, either party's rights to joint custody would be determination, if there has been repeated and willful violations or interruption in the custody privileges. We have another bill which will even get tougher on the situation that Senator Rupp...discussed and that will be coming before the Senate

within the next week. But this bill does deal with either parent. Just like...just like any custodial determination...just like any joint custody determination, just like any divorce matter, it's all, all, a matter of evidence for the judge. And the standard that we've put in here is willful and repeatedly and that is a judicial standard and the court would determine if there's been a willful and repeated violation, either party's rights...either party's rights, and I certainly agree with Senator Rupp, could be terminated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, those of us who've had quite a few of these cases in custody have come to support this bill because it's a necessary bill. Under the current law a custody order cannot be changed for two years unless both parties agree to it or if there's evidence that the child is seriously in danger...this bill at least will show that...if there's willful and repeated abuse or failure to exercise visitation, the order could be terminated. This really deals with joint custody cases and I recommend the passage of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Marovitz may close.

SENATOR MAROVITZ:

I would just solicit an Aye vote. We...we did pass the judicial...the joint custody bill last Session. This tightens it up and puts the...the...the best interest of the child first, and I think that's where it ought to be and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 1845 pass. Those in favor will vote Aye. Those opposed will vote Nay.

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1845 having received the required constitutional majority is declared passed. 1852, Senator Maitland. Senate bills 3rd reading, Senate Bill 1852, Mr. Secretary.

SECRETARY:

Senate Bill 1852.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1852 as amended would delay the implementation of the course requirements suggested...strike that...mandated by the Board of Higher Education that would go into force as they suggested in the fall of 1990. This delays by three years the implementation of that mandate. It was my feeling and the feeling of many others that that strict a mandate imposed upon high schools this fall was simply too much and was one that they...they could not in many cases meet. So we are suggesting a delay for three years to determine, number one, if, in fact, we really want to do this. And, number two, if we do, to give schools a chance to...to...to blend in to this new mandate. The bill as originally introduced was for a delay by five years; this compresses that to three years, and I think it's a reasonable compromise and I solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. What the bill is doing

is...delaying implementation of toughen the college admission standards, which is not a bad idea but was done by the State Board without legislative okay. Looking at their standards, they probably are very reasonable. The question is, do we, as a Legislature, allow a body to completely change standards without coming back to us for an okay. Personally, I would probably have voted for their standards, but the point is, they should do it with our approval not without our approval. And if you think the Legislature should be setting the standards for admission to the universities we finance, then you would probably want to support this bill, although I even think three years is a little long, I'd go for less but I will go with the three-year compromise.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Maitland, do you wish to close? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, just urge the Body's support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1852 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1852 having received the required constitutional majority is declared passed. Senate Bill 1854, Senator Lechowicz. All right. Senate bills 3rd reading, the bottom of page 22, is Senate Bill 1854, Mr. Secretary.

SECRETARY:

Senate Bill 1854. ✓

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1854 as amended amends an Act relating to acquisition, possession and the transfer of firearms and firearm ammunition in the Wildlife Code of 1971 to authorize the Department of Conservation to...retain the hunter's license permit or firearm owners identification card while he is hunting on department owned or managed sites. It also amends the Wildlife Code to authorize the Department of Conservation to exempt the Illinois hunting license requirement for nonresident participants and official gunners in field trials. This bill authorized the department's current practices, and with regard to these issues, I know of no opposition. It does merit your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1854 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1854 having received the required constitutional majority is declared passed. All right. Page 23, Senate Bill 1855. All right. Senate bills 3rd reading, top of page 23, Senate Bill 1855, Mr. Secretary.

SECRETARY:

Senate Bill 1855.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. This bill also is a recommendation of JCAR. It would...it would do the following

items. It would amend the Credit Union Act to authorize the Department of Financial Institutions to require examinations of reports of credit unions and credit union service organizations when such examinations are necessary to enable the department to determine the safety or solvency of the credit union. It would also require fidelity bond coverage for directors and committee members and for losses caused by persons outside of the credit union as required by Federal regulations. It would also require credit unions to obtain approval before becoming involved in a credit union organization. It amends the Unemployment Insurance Act to provide that employers must notify employees that they have a duty rather than the right to report gratuities received during the course of employment as required by Federal regulations. It amends the Income Tax Act to authorize the Department of Revenue to reduce the add-back provision for charitable contributions to avoid double deductions. This bill authorizes the current practices of the Department of Financial Institutions employment, security and revenue and has no known objections. I'll be more than happy to answer any questions. If not, I ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1855 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1855 having received the required constitutional majority is declared passed. Senate Bill 1856, Senator Lechowicz. All right. Senate bills 3rd reading is Senate Bill 1856. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1856.

(Secretary reads title of bill)

SB 1858  
3rd Reading

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, members of the Senate. This Senate Bill 1856 would amend the Pharmacy Practice Act to authorize the Department of Registration and Education to do the two following items. One, to require that a registered pharmacist must oversee each division and to prohibit a pharmacist from being placed in charge of more than one division. And two, permit prescription transfers between pharmacies at the request of the patient. This bill authorizes the current practice of the Department of Registration and Education and has no known opposition. I ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Watson.

SENATOR WATSON:

Thank you. I...no known opposition, I guess that includes the Illinois Pharmacist Association. Are they in favor of this or no position?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

They're in favor of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 1856 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55...56, the Nays are none, none voting Present. Senate Bill 1856 having received the required constitutional majority is declared passed. Senate Bill 1858. Senate bills 3rd...3rd reading is

SB 1862  
3rd Reading

Senate Bill 1858, Mr. Secretary.

SECRETARY:

Senate Bill 1858.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and members of the Senate. Senate Bill 1858 amends the Illinois Public Labor Relations Act to clarify that a fact finder does not issue written findings of fact and recommendations and serve the same on the public employer and labor organizations involved, the parties can resume negotiations. There is also no...known opposition to this bill and it merits your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1858 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1858 having received the required constitutional majority is declared passed. Senate Bill 1861, Senator Lemke. Senate Bill 1862, Senator Joyce. Senate bills 3rd reading is Senate Bill 1862. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1862.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

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



Senate Bill 1862 makes available civil recovery against vendors who perpetrate fraud on the department. This is presently the law with respect to recipient fraud. There is no opposition to this. It passed out of committee 11-0, and I ask the...for a favorable vote on Senate Bill 1862.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1862 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1862 having received the required constitutional majority is declared passed. Senate Bill 1921, Senator Philip. Senator Philip on the Floor? Senate Bill 1929, Senator Mahar. 1930, Senator Macdonald. 1937, Senator Lemke. Senate bills 3rd reading, Senate Bill 1937, Mr. Secretary, read the bill.

SECRETARY:

...Senate Bill 1937.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this does is...makes the standard of proof that...that the prosecution must meet in order to confiscate property of the defendant convicted of narcotics racketeering. It conforms it to the...Federal Control Substance Act, 21USC Section 848. I think it's a good bill, I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill...Senate Bill 1937 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open.

*Bill 1942  
3rd reading*

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1937 having received the required constitutional majority is declared passed. Senate Bill...1942, Senator Kelly. Senate bills 3rd reading is Senate Bill 1942, Mr. Secretary.

SECRETARY:

Senate Bill 1942.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Senate Bill 1942 as amended closes a legal loophole which has been available in the State to a individual who may perpetrate harm to a pregnant woman, possibly kill her and also kill the unborn child; and the person who perpetrated the crime could, in fact, walk away and not be guilty of any State law. And this particular provision would now cover any child, and I'm not just talking about an unwanted baby, as the term is used, these are all wanted babies. I don't know why they're not all wanted but anyway this...certainly there shouldn't be anyone even those of...and there is nothing in this legislation that deals with abortion, we totally struck out all that provision so it has nothing to do with that. What this does is it extends protection to an unborn child and it's before viability. Up until now we've had a law which says if a child is viable, which is after three months until term, they would be protected, but between zero and three months there was no protection in the State laws for an unborn child and...this particular incident did happen where...where an unborn child in this age category was actually killed and there was...the person who perpetrated the

crime was able to just walk away. This would tighten that loophole and I would just solicit your support and be pleased to answer any questions that you might have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

I...I...I think I understand what you're trying to get at. My...my sister's child when she was eight and a half months pregnant was killed in a...in a car accident...be...and it was due directly to a drunk driver who hit her head-on. However,...you know, I do have some questions about the bill. If...if that is what it...all that it does, I have no problem dealing with the bill. But you stated in your comments that this has absolutely nothing to do with abortion, is that right? So, in other words, any doctor that...that performed an abortion would not be held liable under the...this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

The medical society requested that we...they...they had some concerns about the legislation, so we took out every portion that deals with abortion and we separated it so it has nothing to do at all with the issue of abortion or with doctors performing legal or illegal or any other kind of abortions. It doesn't have anything to do with abortions at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Okay, now...one other question. According to our analysis, you are talking about from the point of conception until...until the end of the pregnancy, is that right? And...and if that is right,...you know, again, I...I have to bring up, are we...is this constitutional? I'm not a lawyer and I just don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, there's been questions raised about constitutionality and that is in the Roe versus Wade that the particular law which dealt with the subject of abortion exclusively applied from the moment of what the court determined is viability, after three months. The Illinois law, and there's no doubt other states that do not have protection for an unborn child who is wanted before the three-month period for protection and for...for their safety in their...their life, so this law would cover that. As far as the example you pointed out with eight and a half months, the Illinois...current Illinois law would cover that, the infanticide law would cover that particular instance where there is a child that's eight and a half months old; in other words, from the moment of viability until term, there has already been protection. This would protect the infant from zero to three months.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Fawell.

SENATOR FAWELL:

I'm...I'm sorry but...you know, having gone through four pregnancies and not even knowing I was pregnant until I was three months along, how are you going to prove this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, I guess you came up with a good example, because I don't think the Supreme Court in their greatest wisdom will ever be able to determine exactly when viability occurs. I think that's one of the biggest problems I have with their ruling in the Wade versus Roe ruling on abortions, so...but this...this...this doesn't have anything to do with the abortion. What it does is it says if somebody kills an unborn child that's one month old or two months old, they're guilty of a crime and they would have to be penalized. In other words, it gives the law...some law in Illinois to protect and to have the rights so no one can injure a pregnant woman and kill their child.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...Senator Fawell.

SENATOR FAWELL:

Does it impose strict liability on...on the perpetrator of the...crime or whatever you want to call it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

If someone kills an unborn child that's from zero to...to term, they would be guilty...and...and would be found so if it was, in fact, proved that they were guilty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Fawell...Senator Fawell.

SENATOR FAWELL:

One more. I'm sorry, but I...I...I'm not trying to prolong this, I'm...I'm merely trying to find out what you're trying to do. If someone is...is in an automobile accident, all right...and it...and...and...and one of the parties is injured and that party happens to also be a month pregnant or maybe a month pregnant, are we saying by this bill that we're going to send the guy who caused the accident to jail for...for manslaughter for...which is a...which is a felony

which is a...a mandatory...prison sentence, isn't it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, you might use the example of a automobile accident but I'll tell you right now, in one particularly where someone is killed and a baby inside of a mother's womb in this case would have to be a very high speed...high...violation of that driving law; and if that's the case, let me tell you, Senator, very few times that a motorist know who is and who is not in that other vehicle, and I think if someone kills an innocent human being and if...particularly if they are drinking or if they're violating the State laws by speeding, then they ought to be penalized and they ought to receive a strong penalty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen. All right. Senator Barkhausen...how about moving over to Senator Weaver's microphone. Senator Barkhausen.

SENATOR BARKHAUSEN:

I'm sure my argument will be much more cogent now that I'm using Senator Weaver's microphone. Mr. President and members and...and Senator Kelly, my...my concerns about this bill have to do with...with my belief, even though that there may be some...debate even among constitutional scholars, that the provisions in this bill dealing with voluntary manslaughter and involuntary manslaughter don't...don't require knowledge that the victim is...is pregnant. And it...it seems to me that if we're going to give by this legislation specific protection to fetus, then the defendant in order to have what I believe would be the constitutionally required proof of intent ought to...ought to be required to...to know that the...that the one victim is pregnant. And because of that, I...I suspect that this legislation is constitutionally

infirm and, therefore, feel inclined to oppose it or at least urge a Present vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Senator...Senator Kelly, what happens in case of the automobile accident where the mother survives and let's say she is one month pregnant and have a miscarriage? What happens then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR COLLINS:

Because you...it was my understanding...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Now wait a minute...

SENATOR COLLINS:

...that you were...you...in your remarks you indicated that in case of an accident of that...that example, that if, in fact, the mother had gotten killed and then that the baby of course had been terminated through that, then this would have been...manslaughter. But what happens if the accident or the bump is very...slightly enough...just enough for the lady to miscarriage or she gets overly excited and maybe she...for whatever reason, some women are very weak during the first months of pregnancy and she loses the baby, would that apply also?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

First of all, I...I didn't use the example of an automo-

bile accident, my colleagues across the aisle did that. But I...I would say that if someone injured a pregnant woman whether by attacking them with a weapon or in the case of certainly not intentionally in an automobile, and the unborn child dies, I would think you as a mother would be certainly very concerned about that unborn child dying and I would think that even the slightest cause...whatever caused that miscarriage still wasn't done or wanted to be done by the mother, and I wouldn't think...I would think you'd be very concerned and very...you'd want...something done to the...to the person who initiated that particular violation. And I...I don't see where you have any problem with that.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

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

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

There were two amendments that were to have been put on the bill. Are they still on the bill. The one...exempts from the new provision on involuntary manslaughter of an unborn child acts committed during testing or treatment conducted under customary medical practice. Was that amendment...is that amendment still on the bill or was that taken off?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Kelly.

SENATOR KELLY:

No, that amendment is incorporated into the bill. There was a Amendment 1 and Amendment 2. We Tabled Amendment 1 and we incorporated Amendment 1 into Amendment No. 2 and that particular concept is now in the bill as amended.



PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

And the other amendment was...which was to have been offered on the Floor was to exempt medical treatment from all of the new offenses. Now is that amendment on your bill or not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

The other agreed amendment...and someone just said, well, now that's an abortion bill, one of my colleagues said. It..it's obviously is not, that's exactly what we did. We took out all provisions dealing with abortion. The medical society had problems with physicians who wanted to make legal abortions and that's why we accommodated them and we took everything out on the subject of abortion, so it has nothing to do with it. The other provision you talked about, it was an amendment we incorporated, it deleted the word "knew or reasonably should have known of all the circumstances," and...and put the word in there "knew." In other words, we took out the, "reasonably should have known under the circumstances." In other words, you have to know of intentional homicide before it...you can be guilty, so it...you must know that the woman was pregnant. So I think that clarifies some of the other arguments about a accidental death occurring on the highway.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, why...why did you have to find it necessary to...to repeal the Feticide Statute which was a good bill and a good law and has stood constitutional challenges?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, I don't have my staff person here but we are not deleting that provisions of that law. That's...this law covers...that particular law is the same as this one, the only difference is this covers from the beginning of conception until the three-month period which is the viability; otherwise, as far as I understand, it's the same.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis.

SENATOR GEO-KARIS:

In other words, does your bill give the fertilized egg the status of a person for purpose of criminal prosecution for death or injury of that egg?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Want to repeat that, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Does...does your bill then give a fertilized egg the status of a person for purposes of a criminal prosecution for death or injury of that egg?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

What...what it does is, it does give...it does extend that an unborn child in the first three months...I know, you're trying to use whether or not I'm giving credence that a...a person is a child from the moment of conception. What it does is, it...it doesn't in...in my opinion, it presents itself dealing strictly with the first three months as a person that would be...protected under State laws if they

were killed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I don't mean to belabor the point but then what you're saying to me, in effect, is that you are giving the status, are you not, to the fertilized egg as a person...you say the first three months, that...that doesn't answer my question. And I love you dearly but you still don't answer my question. My question is, do you give the fertilized egg the status of a person for purposes of a criminal prosecution for death or injury to the egg? Yes or no?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

I would say that this legislation would get added emphasis to a person being in the first three months of being...being...being a person. My answer to your question is, I don't know. But what I'm saying is, this legislation would give credence to the fact that a person from conception is a person. And apparently when you talk about wanted babies, they're...they're persons, and if they're not wanted, then I guess they're not considered persons but I consider them all persons.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I have consistently been against abortion except to save the life of the mother in rape and incest cases. I do think this bill goes far afield because it would penalize the mother who was driving a car who was pregnant and ended up hitting a tree because her child...would be affected and dead. And I...I think we're going too far afield. I do have some serious

constitutional questions about this bill, and because I do, I cannot support it full-heartedly although I am in support of some of it. And I do not feel that the Feticide Statute should have been repealed as this bill would do 'cause that's an important Statute and it is constitutional and, therefore, I'm going to vote Present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Lemke.

SENATOR LEMKE:

Just...just a point on the constitutionality of this...just to bring this out. The Roe versus Wade decision does not apply in this case. The court found in...in that case only as to due process. It did not preclude the states or recognize or protect the unborn child in other areas of law. In fact, Illinois for years under the Wrongful Death Act has provided for civil tort actions for injury to a fetus at any stage of its development which results in the death of the fetus after being born alive. The current feticide law...in effect since 1981 makes it a homicide to intentionally kill a viable fetus. These laws are not unconstitutional; therefore, I think this bill is...is...is in the prerogative of the states' rights and is constitutional and I think it should be a favorable vote. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, we've had...we've heard a lot of arguments, but just briefly, the...the feticide law which we presently have which has been declared constitutional and is constitutional, it's on the books and provides adequate protections. I think to extend the law this far without scienter, without knowledge in the involuntary manslaughter, the wreckless homicide situation to...to a fetus that is one to three months, it...it goes way too far, and...and I want to tell you some-

thing. We have continually debated and passed laws on this subject matter that have been declared unconstitutional. Believe me, this one will be declared unconstitutional, we'll be back here again. It makes us all look ridiculous. We have a constitutional law on the books, why don't we leave it at that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Karpel.

SENATOR KARPIEL:

Thank you, Mr. President. I just wanted to clear up one thing Senator Geo-Karis mentioned. This bill is for third parties. A woman...a pregnant woman cannot be prosecuted under this legislation. It's if a third party knowingly...hurts a pregnant woman to the degree that she either loses the baby or the baby is disabled or handicapped in some way when it is born. It has nothing to do with the pregnant woman driving into a tree or anybody making a mistake and pushing someone not knowing they are pregnant and they fall down and miscarry. This has to do with a third party...knows that the person is pregnant...the woman is pregnant and that then the baby is harmed in some way and I urge its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Kelly may close. Oh...all right...sorry, Senator Kelly. Senator DeAngelis, I did not see your light. Apparently it wasn't on. Senator DeAngelis.

SENATOR DeANGELIS:

Well, you always reluctantly look to the left side of the panel, Senator Demuzio.

PRESIDING OFFICER: (SENATOR DEMUZIO)

That happens to be your side of the panel. Senator DeAngelis.

SENATOR DeANGELIS:

Well, let me just clear the record on one thing,

I'm...I'm not urging anybody on how to vote but let me make one thing clear. What you are, in fact, Senator Kelly, you are repealing the Feticide Statute. Which means you are now superimposing a law that probably will be declared unconstitutional and then allowing those people who clearly would be prosecuted for committing a crime where there is a viable fetus to go free. Now, I don't know why you're doing that, I don't think it's your intent, but that's exactly what you're doing. And I think it ought to be pointed out to this Body that you're killing one very good law that protects children to try to cover another part where...it's not even known whether somebody is pregnant. My wife has had four children and, believe me, she could tell she was pregnant before the doctor could but that's only because of certain symptoms. But you're really creating some real problems here.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? WCIA-TV has requested permission to videotape the proceedings. Is leave granted? Leave is granted. Further discussion? If not, Senator Kelly may close.

SENATOR KELLY:

Well, I want to first thank Senator Karpel for pointing out that this is a law which just covers those persons who knowingly, intentionally are harming a pregnant woman and that the infant is...is killed. As to Senator DeAngelis on his concept that we're liable to be loosing the...the current existing law. This law here, I feel, has a great chance of being upheld, and this has been a loophole that we've had for...ever since 1973, and I think it's time that we've done something. We can come back here in another year if...if that...if we do get into a Supreme Court battle and reestablish it, I don't think we have to. I think that this can stand on its own and I solicit your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 1942 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 8, 5 voting Present. Senate Bill 1942 having received the required constitutional majority is declared passed. Page 24. Top of page 24 is Senate Bill 1944. Senate Bill 1951, Senator Holmberg. All right. Senate bills 3rd reading is Senate Bill 1951, Mr. Secretary.

SECRETARY:

Senate Bill 1951.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

...this bill is one of an ongoing series of bills to help Rockford following its loss of home rule. This particular bill permits a half-cent sales tax to be levied only if approved by the voters of Rockford, and the bill...the provisions of the bill specify that it would only apply to Rockford and that the money could only be used for infrastructure purposes, something that the mayor of Rockford and the city council...Republican city council at this particular time have asked for as one of their options to continue to keep the revenue situation sound in our city.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1951 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays

are none, none voting Present. Senate Bill 1951 having received the required constitutional majority is declared passed. Senate Bill 1958,...Senator Karpziel, for what purpose do you arise?

SENATOR KARPIEL:

Mr. President, on the last two bills I've been recorded as absent because my button doesn't light up. So I'd like the record to show I am voting Yes on the last two bills.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Is your key on?

SENATOR KARPIEL:

Would somebody light my button? Thank you.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well, Senator Karpziel, why don't we wait till this next roll call to determine whether or not it is working and then perhaps we could run some...some tests. Senator Geo-Karis, you have trouble with your button too?

SENATOR GEO-KARIS:

...Mr. President, Ladies and Gentlemen of the Senate, on Senate Bill 1942 I meant to vote Present and I wasn't looking, I apologize, and I put the speaking button on instead. So please record my vote as Present.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senate bills 3rd reading is Senate Bill 1958, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1958.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senate Bill 1958 would authorize the Department of Agriculture to conduct harness racing



at the DuQuoin State Fair. If there are any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1958 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. Senate Bill 1958 having received the required constitutional majority is declared passed. 1963, Senator Joyce. Senate bills 3rd reading, Senate Bill 1963, Mr. Secretary.

SECRETARY:

Senate Bill 1963.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President, members of the Senate. Senate Bill 1963 gives the State the right to have a jury trial in a criminal case. It is presently the law in thirty-six states in this country. It's the law in the Federal system. We've passed this out of here on previous Sessions with near unanimous roll calls and I ask that the Senate vote Aye on Senate Bill 1963.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate bill...or, beg your pardon, Senator Marovitz.

SENATOR MAROVITZ:

Well, just very briefly. This will get it, this will be in the forties maybe the fifties. This is a bad bill, it abrogates some individual rights that have been guaranteed for a long time and basically while you'd think it gives...it

gives somebody the right to a trial by jury, it abrogates a defendant's rights and I think it's a bad bill. It's going to fly here, hopefully, not in the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce, you wish to close? All right. The question is, shall Senate Bill 1963 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 3, 2 voting Present. Senate Bill 1963 having received the required constitutional majority is declared passed. Senator Welch on 1972. Senator Welch.

SENATOR WELCH:

Mr. President, Senator DeAngelis asked that I withhold calling this bill at this moment while he obtained some additional information and he's agreed to recall it out of order at some point in the future.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll come back to Senate Bill 1972 later in the...in the days. Leave granted? Leave is granted. Senate Bill 1983, Senator Davidson. Senate bills 3rd reading, Senate Bill 1983. Read the bill.

SECRETARY:

Senate Bill 1983.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is a bill from the Department of Corrections to take care of a problem which has arisen by former employees who have left the State employment and who are out in private employment and they

have to be called back as a witness in relation to suits that have been filed by an inmate and this would reimburse them in relation to the difference in lost wages. This is...I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1983 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1983 having received the required constitutional majority is declared passed. Senate Bill 1984, Mr. Secretary. Senate bills 3rd reading is Senate Bill 1984.

SECRETARY:

Senate Bill 1984.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is a bill that would allow the State...when it becomes law allow the State to become self-insured in relation to the State employees program. This would...as it is recommended and given to me and what they expect to do would expand the benefits for the State employees at a reduction in the cost of premium what we're present paying. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

Senator Davidson, how much are we estimating that we'll save going self-insured?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

The figures given to me, Senator Hall, was approximately seven million dollars in reduction in the cost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, I certainly support this because we have one heck of a time if any of you have had to test getting with this company who was handling our insurance. So I would advocate everybody to support this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I also would urge support of the bill. Although the Economic and Fiscal Commission was not brought into the process perhaps as early as it should have been in terms of being consulted about the changeover, we had...we have had an opportunity to have rather lengthy hearings and discussions and consideration of the issue of turning to self-insurance on the State employees health insurance and I think that all of us, or most of us, at least, are persuaded that it is a good move. There are figures that are even higher than seven million dollars about the potential savings although there obviously are some ifs involved in the first year or the first couple of years. One of the things that it does do is to enable the State, the central management services and the collective bargaining process to increase the State employees access to health

insurance. For example, the savings that are to be realized by the self-insurance program will help to finance the beginning of dental coverage which State employees have never had as part of their health insurance. There is always a certain amount of risk, I suppose, but since we're paying our prior insurers rather heavily for that risk element, it seems to me that in the long-run this is a very good move and we hope indeed it will realize the savings and the transfer of those savings into other benefits for State employees. So, I, too, would urge support of Senate Bill 1984.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? WCIA-TV has been...been granted permission to videotape, they make a second request. Leave is granted? Leave is granted. Senator Rupp.

END OF REEL

REEL #3

SENATOR RUPP:

Thank you, Mr. President. I was just wondering, in this particular case, this seems to be without question an insurance matter and I was wondering why it wasn't heard in the Insurance Committee. Any observation, anything at all, even from the sponsor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Davidson, perhaps you could respond.

SENATOR DAVIDSON:

I...I can't answer his question. The...the Committee on Assignment of Bills assigned the bill to the Exec. Committee and that's where I...went ahead and heard it. I went with the bill wherever they assigned it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you. No, I understand that, Senator Davidson, but I...but I do question sometime that particular procedure. Here's one of the big moves that we will be making as far as our health care is concerned. Self-insurance does not always work out. We had testimony right in this Chamber about a self-insurance proposal in...that they went to in Chicago and, evidently, they are having trouble just like everybody else. So it's not a panacea. This...I heard Senator Netsch use the word hope that this works out; I hope so too, but it's not just...it has to be watched, there has to be given particular attention to it, and just because if we don't make money, if we don't clear money, we will look...put an extra tax in. Insurance companies can't do that. And I think this particular difference should be kept in mind and I

hope we watch the administration of this particular bill, and this whole concept with a real good...give it a lot of attention to make sure that it is done on a businesslike procedure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I also would like to state for the record that I share...Senator Rupp's concerns as far as the total cost on self-insurance in the State of Illinois. When this matter was brought to our attention, Senator Netsch convened the Economic and Fiscal Commission and asked that the department come through and make the justification for the self-insurance program really after the fact; and after the fact states that we...the State of Illinois is actually subsidizing this program on the initial basis and that we have a fairly low rate per individual based upon this subsidy. But, unfortunately, I think this will come home to roost in about a year or two and then we'll know the real cost of this program. I will support this issue at this time because we have no other place to go, not saying that this is the proper approach, but I know right now that's the only approach and the cost will be coming not as a savings, as I look at this matter, although it's portrayed to be a savings; the true cost when you take a look at the true dollars and cents in a year or two, I think we'll be coming for a supplemental appropriation, but I will be voting Aye on this matter at this time for that reason.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. Like the previous two speakers, I think that the Body should be cautioned about what we're doing here. The State of Illinois Group Insurance

Plan, I believe, is the largest insurance plan in the world, the group insurance...the largest group insurance plan in the world. And whenever there have been problems and dissatisfactions with the group insurance plan, the criticism has tended to fall upon the insurance company that's been handling it. Now, those of us that are somewhat familiar with group insurance and large groups understand that to a great extent they are all sort of self-insurance, because Blue Cross-Blue Shield has not been making any great killing out of handling this plan and the true costs have to be paid by the State of Illinois. But I think Senator Lechowicz has put his finger on something that we ought to watch and that is that now that we're going into the insurance business and we are going to be the insurance company, we'd better make sure that we got people watching our claims expense, that we've got people watching our benefit payments because if we make them too liberal for whatever reason, political or otherwise, we're going to wind up with a heck of a big cost that we have not had under our present plan. While I don't object to the principle of the State going...becoming a self-insurer, I think that we all ought to be put on notice that we'd better make sure that this is operated like an insurance plan or we're going to have big problems with the cost in the future.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Davidson may close.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1984 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish?



Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1984 having received the required constitutional majority is declared passed. Senate Bill 1988. Senate bills 3rd reading is Senate Bill 1-9-8-8, Mr. Secretary.

SECRETARY:

Senate Bill 1988.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This piece of legislation was suggested by the Department of Registration and Education in which they're having a problem with applications of division to pharmacy licences. This extends the application of division to pharmaceutical license to include pharmacies whose entire service is provided to hospitals or extended care facilities, regardless of where such...whether such a pharmacy is located inside the hospital or facility. Currently, we have pharmacies that are located outside of hospitals or extended care facility that are providing these services that need to be licensed as division to pharmaceutical licenses. So I...I know of no opposition and be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is...Senator Marovitz.

SENATOR MAROVITZ:

Senator Watson, what is the difference between the licensing requirements between Division 1 and Division 2 pharmacies...and are there just...is it just Division 1 and Division 2 or is there more divisions?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

There are four divisions; Division 1 is a retail license and Division 2 is an institutional license. And what we're doing is expanding an institutional license so that a pharmacy located outside that institution can be licensed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Then...then I guess the question is, for that retail pharmacy that's located outside the hospital, what less requirements are on that business than around the Division 1 pharmacy located in the same place?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you. This does not affect a retail pharmacy. This is only a pharmacy that provides services to an institution such as a hospital or a nursing...nursing home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

So are you saying then that the Division 2 pharmacy which is the sole purview of this bill, that pharmacy can only provide service and...and is not allowed legally to provide services to anybody else except a hospital or a nursing home?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

According to the definition of a Division 2 pharmacy license, that is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson, do you wish to close? All right. The question is, shall Senate Bill 1988

pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1988 having received the required constitutional majority is declared passed. Senate Bill 1992. Senate Bill 1993. Senate Bill 1-9-9-3, Order of Senate Bills 3rd Reading, Mr. Secretary.

SECRETARY:

Senate...Senate Bill 1993.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Senate Bill 1993 came out of the...came out of our committee with the...on the Agreed Bill List. What it does is changes the rule making provisions in the Department of Mental Health and Developmental Disabilities and their powers and duties regarding psychotropic and narcotic drugs authorized for use by the department. Currently, the Department of Mental Health and Developmental Disabilities requires the director to authorize by regulation lists of such drugs...that maybe administered in institutions under the jurisdiction of the department. Senate Bill 1993 would change the rule making provisions regarding this list of approved drugs. Legislation would require the department to...develop by rule the procedures by which it shall approve psychotropic and narcotic drugs for use in its facilities. This will bring medication more quickly that is needed by patients under the jurisdiction of the department into compliance, and I urge your support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall

Senate Bill 1993 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1993 having received the required constitutional majority is declared passed. Senate Bill 1998, Senator Dunn. Senate bills 3rd reading is Senate Bill 1-9-9-8, Mr. Secretary.

SECRETARY:

Senate Bill 1998.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank...thank you, Mr. President and members of the Senate. Senate Bill 1998 authorizes the Department of Agriculture to operate the DuQuoin State Fair along with the Illinois State Fair. Changes are necessary in the law to authorize operation of the DuQuoin Fair and I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is...discussion? Senator Hall.

SENATOR HALL:

Senator, how much is this going to cost?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

This year, next year...when, Senator Hall? The appropriation for 1987 propose a 1.2 million for the building and grounds and eight hundred and sixty-seven thousand for the administration. This doesn't take into account the money that will be generated by the fair. Probably the DuQuoin

State Fair won't cost as much to operate as the Illinois State Fair.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, I'm looking here at an amendment and I'd like to know what this means. It provides free space to the elected constitutional officers and the four principal legislative leaders during the State Fair. What...what is that?

PRESIDENT:

Senator Dunn.

SENATOR DUNN:

That was to, I think, legalize something that's been done in the past at the Illinois State Fair and they allow the...the constitutional officers to have free space and on the...the amendment is amended in the Senate last week...said that for governmental functions. This did not mean for campaign, as I understand, it's for governmental functions. If the Secretary of State or the Governor or Speaker of the House, the President of the Senate has a booth out there to instruct people of Illinois what their constitutional duties are, they wouldn't be charged for it. That...that's what it means.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Welch.

SENATOR WELCH:

Did the State Fair lose money last year down at DuQuoin?

PRESIDENT:

Senator Dunn.

SENATOR DUNN:

...excuse me, you say did the State Fair at DuQuoin lose money? It wasn't the State Fair, it was operated by some individuals who...who sold the fair and I suspect that they did not make money, although it was a private enterprise at that time.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Do you know how much they lost?

PRESIDENT:

Senator Dunn.

SENATOR DUNN:

No, I do not. They went broke, I think.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Sounds like a great deal. Isn't there a house on those grounds that I've read about was being renovated for the...for the Governor's use? Is that true?

PRESIDENT:

Senator Dunn.

SENATOR DUNN:

There...there's one...there's two homes on the ground. One of them is on the grounds, one is privately owned. The other now belongs to the State of Illinois...Department of Agriculture of the State of Illinois and it's being occupied yet by the previous owner. I understand they're going to vacate 1st of June or shortly thereafter and what will be done with the building...that home, I don't know. I suspect it will be available for the people of the State of Illinois. This is a fifteen hundred acre park that we have acquired. I've...of course, there's some people in southern Illinois not very happy about us running a fair, but I think the main thing is...for the people of Illinois is that we have another

fifteen hundred acre park that will be there and available for people of Illinois and visitors to our State for a time to come...I...I think that's the main object of buying the fair.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Is the Hambletonian going...continue to be run at this fair?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

We...we lost the Hambletonian about five years ago or six years ago and it's now the same three-year-old trotter's race at DuQuoin every year and they call it the World Trot. The...the Hambletonian had moved to New Jersey. We hope that maybe we'll be able to get that back within a few years.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of Senator Dunn's bill. DuQuoin Fairgrounds is a very important part of our drive for economic independence in southern Illinois. I hate to speak of this as a fair because the intent is to make it a multipurpose facility. There are already events lined up for the summer and the fall that's going to bring thousands of people into southern Illinois where they're going to be spending their money on motels and restaurants and other kinds of things. We think that the tremendous number of acreage that will eventually go into what we hope will be agricultural experimental station for the university and maybe other uses of that ground is going to benefit our area tremendously. There are all kinds of uses for this

fairground and it's not just a two-week fair. So we think it's...it's a real plus for our economy and I rise in support and would encourage the membership of the Senate to support this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR DUNN:

Thank you, Mr. President. I'd urge an Aye vote and pass the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1998 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, 1 voting Present. Senate Bill 1998 having received the constitutional majority is declared passed. Senate Bill 2006, Senator Marovitz. Senate Bill 2017, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2017. ✓

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 2017 will enable the Department of Alcoholism and Substance Abuse to schedule or reschedule cannabis projects; that is, to designate the purposes...legal purposes, if any, for which they may be used when such products have been rescheduled or recategorized by the U.S. Drug Enforcement Administration. The intent of this legislation is to allow such scheduling or recategorizing for products which have been or...or will be declared legal under



certain limited circumstances by the Federal Government. The practical interest in this legislation derives from the...from the product popularly known as...as Marinol, otherwise known chemically or pharmaceutically as Dronabinol or THC which, as I understand it, is frequently used and administered to...to cancer patients who are being administered chemotherapy. I know of no opposition and would urge your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2017 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 2017 having received a constitutional majority is declared passed. Senate Bill 2035, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2035.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 2035...establishes a Statewide system of direction services for handicapped persons and their families through the Illinois State Library System. As you all well know, there are many, many services available to handicapped people. Unfortunately, the handicapped people are not aware of them in most cases. What this does is allows the library system to either through a computerized system or whatever appropriate source they wish to use to list all the various services available to handicapped persons in the State of Illinois. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there a discussion? If not, the question is, shall Senate Bill 2035 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2035 having received the constitutional majority is declared passed. Senate Bill 2042, Senator Marovitz. Senate Bill 2057, Senator Nedza. Senate Bill 2061, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2061.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. This bill creates the Dioxin Poisoning Atomic Victims Advisory Council within the Department of Veteran Affairs to assist exposure victims in identifying sources of compensation, benefits, medical benefits, social service and job training on Federal and State level and in the private sector. It will evaluate medical and technical data relating to the effects of exposure on the Illinois veterans' population and will submit a report to the General Assembly recommending actions to provide relief to the exposure victims. It has a three-year sunset program July 1, '89. It's a central coordinating body to discriminate information and follow up on the requests of the exposure victims, and it passed out of Executive Committee 16 to nothing and I know of no...opposition to this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Watson.

SENATOR WATSON:

Yes, sir. I'd like to ask a question, if I might.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR WATSON:

Senator Vadalabene, you said that...there's no opponents but our analysis says the Department of Veterans' Affairs is opposed to it. Why would they be opposed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

The Department of Veteran Affairs took no position on it when I produced it in Executive Committee. So...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 2061 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. Senate Bill 2061 having received the constitutional amendment is declared passed. Senate Bill 2078, Senator Philip. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2078.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill...2078 as amended would give the DuPage County Water Commission the authority for quick-take powers for eighteen months. Amendment No. 1 also would give it the right to acquire public property. This is no different than

what we have done for the Toll Highway Authority, DCCA for the super collider, Metropolitan Sanitary District, the City of Chicago for specific purposes such as commercial blight area, business development and redevelopment. We also did the same thing here about three weeks ago for the City of Robbins. Be happy to answer any question and ask for your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator D'Arco.

SENATOR D'ARCO:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR D'ARCO:

Hey, what is the emergency? Is the water drying up in DuPage County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

I might say this, Senator D'Arco, that the Village of Naperville has stopped issuing building permits because of the lack of water. Also the Village of Glendale Heights and, I believe, Carol Streams has limited it when you can use water for sprinkling and gardening, et cetera. So there is no question of a doubt whatsoever that we have a shortage of water in DuPage County.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

The only problem is that if you're a...a property owner in DuPage County and this provision becomes law, DuPage County will be able to take that property and decide afterwards its value. Now, I don't know if that's right or wrong,

but it seems to me that in only the extreme most situations should a law like this apply to take the property of a person without due process of law. And unless there really is a big, big water shortage going on in some of these cities, I don't understand the necessity of passing this law at this time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to make two points. The first point, we've already done it for the City of Chicago Metropolitan Sanitary District, DCCA for the super collider, et cetera, et cetera. I might suggest this, we've already had one experience because we didn't have quick-take. It happened in the Village of Berkley where the water commission was going to have to put a pumping station. The man that owned the property went to the Berkley City Council, got it rezoned for multiple, our appraiser...or the appraiser they hired from Cook County appraised it a little over a hundred thousand dollars. A well...connected law firm end up defending the property in court. It cost the water commission six hundred and forty thousand dollars for that piece of property that was guesstimated at a little over a hundred thousand. So it's very, very important we have it. We're only taking it for eighteen months. It's a difficult situation and, of course, that money comes indirectly out of the taxpayers' pockets. So we've done it before, we need it, we're only going to have it for eighteen months.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 2078 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?

SB 2100  
2nd Reading

Take the record. On that question, the Ayes are 40, the Nays are 9, 1 voting Present. Senate Bill 2078 having received the constitutional majority is declared passed. Senate Bill 2084, Senator D'Arco. Senate Bill 2087, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2087.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 2087 amends the Liquor Control Act with respect to licenses and requires repeat violators to discontinue operation of their business pending State commission hearings. Currently, pursuant to the rule of the Illinois Liquor Commission, upon posting a bond a licensee which has had its license revoked or suspended by a local liquor commissioner may resume operations. In some cases this happens five and six times a year. This bill simply says that in cases in which a licensee appeals to the State Commission, a suspension or a revocation by a local commissioner that is a second or subsequent such suspension or revocation in the preceding twelve months, he must cease operating until a verdict is rendered. Appreciate your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2087 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2087 having received the constitutional majority is declared passed. Senate Bill 2100, Sena-

tor Luft. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2100.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 2100 affects the tax increment financing provisions of the Illinois Municipal Code. And what we're trying to do since UDAG's and IRB's are in jeopardy and also the revenue sharing, we have added some areas in which the TIF could be more effective in helping redevelopers. One of those ways in 2100 is to allow the municipality to use TIF monies to pay down the interest on a developer's project. Also we're allowing a municipality to pay for development implementation and administrative costs including direct staff costs. We're changing the...we're changing also the definition of...not the definition, we're allowing vacant lands that have been partially flooded eligible for TIF and making eligible vacant land that has had no growth in EAV for the last five years. I'll try to answer any questions; if not, I would move for the passage of Senate Bill 2100.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2100 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2100 having received the constitutional majority is declared passed. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. I was going to speak on the last bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I guess your persuasive powers weren't needed on that one. Senate Bill 2105, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2105.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. If Senator Netsch wants, she can speak on this bill. It's a very important bill and I know she's going to be vitally interested in it. What it does, it amends the Hospital Licensing Act. That's about it, Mr. President. It's not too important really, it's just...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

This looks like it's got four big wheels. Could you tell me what it's a vehicle for?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

It's a vehicle for another vehicle, I think. As soon as I find out what that is, I'll let you know. I don't know, to be honest with you.



PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell. Is there further discussion? If not, the question is, shall Senate Bill 2105 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 5, 6 voting Present. Senate Bill 2105 having received the constitutional majority is declared passed. Senate Bill 2116, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2116.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This bill changes the basis for imposing fee assessments from the calendar year to the fiscal year and will allow all records to...to be maintained on a fiscal year basis in the commissioner of banks and trusts companies.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...

SENATOR WEAVER:

...also it...also imposes a hundred and fifty thousand annual assessment for seven years on banks in order to build the fund's equity up to a million and a half dollars. It's supported by both banking organizations and I...if there's any questions, I'll be try...happy to try to answer them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2116 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that

question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 2116 having received the constitutional majority is declared passed. Senate Bill 2129, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2129.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank...thank you, Mr. President. Senate Bill 2129 amends the Code of Criminal Procedure and gives the prosecution or the State the same rights now enjoyed by the defense and that is to have a criminal case removed from a trial judge on the grounds of prejudice. Allows the State within ten days after a case has been assigned to move the court in writing for a substitution of that judge on those grounds, that is that such judge is prejudice to the State. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2129 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 2129 having received the constitutional majority is declared passed. Senate Bill 2136, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2136.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and the members of the Senate. Senate Bill 2136 deals with a somewhat technical matter. It comes to us...comes to us at the request of the State Treasurer, and what it will do will permit the State Treasurer to act as custodial bank for public agencies which are executing repo. agreements. And it permits the treasurer to pass through the Federal Reserve Board charges to such public agencies. There's no objection to this legislation as far as I know and I ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If...Senator Schuneman.

SENATOR SCHUNEMAN:

Would you explain once more in...in what way this affects repo. agreements? Are the agencies buying repo agreements now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

...the...the Federal Reserve Board has some requirements that must...that must be met in order for local government agencies to invest funds...local public agencies to invest funds in repo agreements. In order to do that, there are some requirements and there is a...and there's also a requirement that the treasurer...that the treasurer has to sign on that the agreements are secured. The...there are charges involved with this and the treasurer acting as custodian would otherwise have to eat these charges, and this legislation will permit him to pass through those charges to local government.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 2136 pass. Those in favor will vote Aye.

Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 2136 having received the constitutional majority is declared passed. Senate Bill 2142, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2142.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Last year we passed House Bill 1086 and, if you'll recall, there was considerable confusion. The bill was called back, it still passed anyhow, the Governor vetoed it. Senate Bill 2042 attempts to clean up the things that were...I won't call them incorrect but inconclusive in House Bill 1086. This bill is a State Board of Education bill and what it does basically in the clarifying language, it allows school districts to claim transportation supervisory salary...I'm sorry, it will allow them to claim five percent of the indirect cost as part of their transportation cost. We've had considerable discussion on that. Senator Berman and I have discussed it. It's basically a cleanup to allow the implementation of a public policy position we took last year. I urge your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I concur in Senator DeAngelis' comments. I do want to add one other item that we have discussed. Because of the uncertainty both in the testimony by the State Board of Education people and by others as to

what...how far this clean-up language could extend, we have agreed to limit the line item appropriation for pupil transportation even under this clarifying language to the amount recommended by the State board, and that's approximately five and half million dollars and that will be built into the appropriation bill at the...at the proper time, but I think that the clean-up language is necessary in this substantive bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Will the sponsor yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR KARPIEL:

In...I think it was...1086, the original bill that we passed, the intent of 1086 was to give more equity to school districts which operate their own transportation system and own their own buses, et cetera. What does this bill...now this bill says it does the same thing...I mean, the analysis says that. So I'm not...don't quite understand what this bill is doing different than 1086.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Karpziel, I agree with you that 1086 the attempt was to get equity; but what it did it, in fact, created inequality because it allowed unlimited...unlimited amount of cost. Therefore, somebody who chose to buy a garage to house buses would then receive the reimbursement for that. It didn't allow the State board any guidelines or any way of determining what the reimbursement should be, and it...and it just opened it up for everything. It was almost unimplemental the way it was written.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

So now you're saying that there are limits and that...but that the...the school districts that operate their own bus...their own transportation will be receiving more than they were before 1086?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes, no or maybe. The problem is that 1086 was not quantifiable and this is where part of the debate raged. This provides more equity because it provides a formula for those school districts to receive a reimbursement.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Are all school districts then treated the same, they're all have got the same formula...no matter how they operate their transportation?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

They have the same formula, they may not have the same cost.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, this...this is of great interest to downstate school districts and one of the principals...or one of the superintendents in my area is very concerned about this particular bill. Do I understand, Senator, that the reimbursement now will be limited to five percent of a number and that that number is the total administrative expense of the dis-

trict?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

...Senator Schuneman, I'm going to give you answer and you're going to have to pay close attention, 'cause I'm not so sure I understand the answer myself. It would allow districts whose indirect costs exceed five percent to receive greater reimbursement if the State average unrestricted undirect cost rate is higher.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

You were right. I don't think you told me the formula, I think you told me the intent. I...I guess what I want to know is if...if there is a limit of five percent, is that five percent applied to the total administrative cost of the district or is it applied to something else?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Could he repeat the question, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

My concern is how the formula works and it's my...people have told me and I think you have said that it is...that the reimbursement is limited to five percent of something, and I want to know five percent of what.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

I think I'm going to defer to Senator Maitland for the answer on this one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

First of all,...thank you, Mr. President. First of all, we are not changing the formula, the formula stays in place. It just simply states that for any school district who in this category are above five percent, then you use the State-wide average.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Now Senator Schuneman is thoroughly confused. Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He'll indicates he'll yield, reluctantly.

SENATOR RIGNEY:

Actually, what you're attempting to do here, as I understand the bill, is to place some limitations upon those unit districts that are providing their own transportation. Do you have any similar limits on those who are in a contractual arrangement or can they throw in everything and get reimbursed on it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Rigney, we are not putting any limits.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I have a question I might ask of the sponsor. The estimated cost pertinent to this bill is 13.2 million according to the State Board of Education or six million dollars as...apparently the Governor...some action that he took relevant to the last Session which estimated that the bill



is...would cost six million. Where does this money come from? Is this money coming out of the...the transportation system and, if so, what's the shift? Who's gaining and who's losing?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...DeAngelis.

SENATOR DeANGELIS:

Well, first of all, as Senator Berman indicated, there is a bill going to be put in that will limit the amount under this reimbursement. However, if the bill would have stayed the way it was, the amount is nonquantifiable and your question would have to be asked in the same manner if it existed or without this bill. This bill actually attempts to do a better job of quantifying. But under 1086...which is currently law, we don't know what the cost would be.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Okay. Now...now I remember, this was the...this was the clarifying language that it was suggested by the State Board of Education. Okay, thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 2142 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2142 having received the constitutional majority is declared passed. Senate Bill 2143, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2143.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is a recommendation of the Auditor General. The bill would change the State university's retirement system fiscal year from September 1st to July 1st, to make their fiscal year consistent with other State agencies. The bill also replaces the term "fiscal year" with "academic year." If there's any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2143 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 2143 having received the constitutional majority is declared passed. Senate Bill 2154, Senator O'Daniel. 2155, Senator Welch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2155.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill grew out of a State-wide hearings held by a committee to determine how we could better fund county government. It was determined that a funding equivalent to fifteen percent of the personnel costs of each circuit clerk's office would be one way to help county government keep down real estate taxes and help them meet other financial disadvantages coming their way such as

the end of revenue sharing. The bill would go into effect January 1, 1987. The cost to the State would be 4.65 million dollars for this half of the upcoming fiscal year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WATSON:

How much do we now fund, that being the State, fund the circuit clerk's office at this time?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Nothing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

We have absolutely no input in regard to the salaries of circuit clerks or any of the operations of the circuit clerk's office at this time, is it...am I correct there?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

That's correct as far as percentages, yes. We allow them to impose a...some fees, that's about it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

I've been informed that there's a stipend of thirty-five hundred dollars a year paid to the circuit clerks each year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I...Senator Welch, to answer you. Do you want to ask another question, Senator Watson?

SENATOR WATSON:

Didn't we pass last year a quarter percent sales tax to enable county governments to try to get back in...in line as far as some of the funding problems they're having?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

That's true, Senator, but it's up to the county to determine what they're going to do with that money and it's a voluntary program, each county can adopt it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, that's...that's the benefit of the program is that we're enabling them to do that themselves. It's sort of a local control type of concept. I realize the problem that local units of government are having and, of course, counties are included but we're talking about 4.6 million dollars. We're talking out a precedent that's never been established. We've got further legislation coming up that's going to be more money for counties...county governments. I just don't think this is something that we need to be doing necessarily at this time and I'd suggest a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Donahue, Keats, Philip and Rigney. Senator Donahue.

SENATOR DONAHUE:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DONAHUE:

How do we know that the counties will in fact use fifty

percent above and beyond what we're already funding them? I mean, they could do a shell game sometimes like we do at the State level. How do we know that this fifteen percent will increase their budget by that much?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, we're going to figure out how much their personnel costs are for the circuit clerk's office, give them that exact amount of money; therefore, they have that additional sum in the county to spend.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

So...I mean, we're doing this under the auspices of the circuit clerk's office but, in fact, we're really just giving it to the county.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

It's to be used by the county for the circuit clerk, yes, for those purposes of the circuit clerk's office.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

How many of these employees does the State hire that we have any control over whatsoever or do we set their pay scale? Are any of those employees...do we have any authority over any of them?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

No, they're all county employees, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

... the equivalent to open-endedly funding by giving the money to the county, we're assuming they won't cut the budget fifteen percent and just use our's to make up. We're assuming that whatever employees they want, they'll fund the way they want to do it. In other words, it kind of a...a free gift to be administered. We give them a direction but they can go up even though we say go down, or they can go left even though we say right; and we have no control over these employees, we don't set their salaries, we don't set their benefits and we don't even direct what they do for a job, right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

We in part do direct what they do, Senator, which is the purpose of this bill. The committee that was meeting throughout the State determined that many State mandates imposed upon circuit clerk offices throughout the State had, in fact, increased the cost of local government. Now many of us here are fond of standing up and complaining about mandating programs locally, and here's a chance to put our State money where our mouth is. Many of the programs through the new DUI laws require additional duties on part of the circuit clerks, and what this does is help reimburse them for part of that cost.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. To allude to the...the possibility that there would be tax...a real estate tax reduction because of this, quite frankly, is...is ridiculous. The circuit clerk is a fee

earning office. I can only speak of my own county that, number one, that they...they take in more money then it costs them to run the office. They turn money back to county government because they make a profit and, quite frankly, it's very well run.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Having been a county auditor for eight years, I think maybe I can tell you a little about where, yes, it can in fact reduce property taxes and if you ever...in the local county, because if you ever knew how you came to what the property tax was and the level of the tax on the county budget, you would know that any income coming in, no matter what it is, has to be subtracted and therefore it...could reduce it. Secondly, I think the premise here...and if you remember last year, we even passed a bill that charges the guy going into the circuit clerk's office to pay for child support thirty-six dollar fee a year just to use that. Now, maybe things have changed but from county government I came that there were no fees that much to pay for the total operation of the office, in many cases; that's why the Constitution, in effect, sometimes eliminated the fee office. What we are trying to do here simply...and I think that Senator Rock's commission had hearings throughout the State of Illinois, that this idea didn't originate from Senator Rock or from Senator Welch, this came from the counties and those people making testimony before the commission which felt simply that a lot of the...the circuit court...clerk's office responsibilities and duties were...were...were part of the court system that we in fact mandated through the...the Legislature. And as far as the sales tax going to pay for this, if you remember when we passed the sales tax bill last year for certain counties, mainly major counties not small

counties, there had to be a corresponding reduction in the corporate general tax down to nine percent. So I...what I would like to just simply point out is that if you know the county financing this, in fact, does help your local counties, then my suggestion is that if you represent very small counties, you would want to support this measure heavily.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, my circuit clerk has visited with me about this bill and apparently there's no guarantee whatsoever that a dime of this money will ever flow into the circuit clerk's office. I think you'll find in many downstate counties there are disagreements between various county officials and county boards. That being the case, perhaps the circuit clerk could use some additional equipment and so forth, absolutely no guarantee whatsoever that they're going to get any money for their operation. I think it's a bad bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I apologize for rising a second time but the very next bill on the Calendar here, 2157, authorizes a twenty percent surcharge on fines to go into the general corporate fund of...of those counties involved. And I think this is a little more realistic approach to the problem than possibly what we're seeing here presented now. I don't...I agree that we do need to do something for the county governments, but I believe the next proposal will be the one that we ought to go with...instead of this one. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.



SENATOR NETSCH:

Thank you. If I might respond, first of all, to the point that Senator Rigney just made. The...I'm reading from Amendment No. 1, I believe it is, which was adopted to the bill and it specifically says, "Such State funds shall be utilized for operating expenses of the office of the circuit clerk." So it seems to me that it...it is absolutely clear that the money that is being returned to the counties is to help defray the costs of that office, and that certainly is what is intended and as I read the bill that's precisely what it said. I was just a little surprised particularly to hear your comments because, although I realize this is a...not something that is before us right now, there is a proposal which you had mentioned to me, as a matter of fact, Senator Rigney, your circuit clerk was strongly in support of which eventually might have the State really paying for the entire circuit court process including the circuit court...clerks. Now that is a proposal that has been submitted to us. We are not...no one is pushing it right now because that's obviously a fairly dramatic change in the idea from the administrative office, the courts and the Supreme Court was that it's something that ought to be available to talk about for awhile. But it does strike me that...that this bill is a very modest step but probably an important step nevertheless in that direction, and it...and what I'm hearing from all over is that the ultimate objective is one that is widely supported by a...a lot of people at the county level. And so it seems to me it would make sense to start the process gradually by passing this bill, and then that will also help to force us into a discussion of whether we want to go the more dramatic route and have the...the State really get involved in that on a much broader basis, but it seems to me this is an important first step.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Just to point out that although it's 4.6 million dollars this year, that's because it starts in January and the annual cost is 9.2 million.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

My apologies for rising a second time but I simply don't agree with Senator Netsch on this particular issue. Whereas the money from the State may theoretically flow into that office, by the same token all that money that's been contributed at the local level can be withdrawn. So who are we kidding with this type of operation...we're not really doing anything to upgrade the circuit clerk's office.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR WELCH:

Thank you, Mr. President. It's the curious arguments that are being used against this bill, Mr. President. In committee, Senator Watson asked me if I would support the Constitutional Amendment so that the State would pay for mandated programs and I said, yes. And here, Senator, you've spoken against this bill which does just what that Constitutional Amendment would do and that is reimburse county government for programs which we mandate for them to...to fulfill. Well, not a dollar for dollar because those can't be figured out directly. It certainly has the same intention. And to say that giving more money to county government is not going to help the county reduce real estate taxes assumes that county government is totally irresponsible and spends every single dollar coming their way without any thought to what the money is spent on. Certainly this could

reduce real estate taxes; it depends on how good a county board you have. And I think in county boards in my district, they probably would reduce real estate taxes. The State Government relies upon the income tax in many ways for funding State Government. Local governments rely on the property tax. If we can supplement part of the local taxes with the State Income Tax, certainly that could reduce the local property tax. Senator Rigney says that part of the money for the circuit clerk's office could be withdrawn by the county. Well, if it is withdrawn, certainly then it could be withdrawn and the levies lowered. There's no reason why that couldn't happen. This bill certainly would help local government and that's what the purpose of this commission was to figure out how to fund local government. To vote against it is to place this bill beyond the arguments that we have had in this Senate Chamber over the past few years about mandated programs; and anyone who is hypocritical enough to vote against this piece of legislation and then support, in some fashion, a Constitutional Amendment that says we have to pay for programs we mandate on county government needs to be reminded not just by myself and other Senators in this Body but by their local press and their local constituents. I think to do so speaks out of both sides of...of a person's mouth and certainly it's something that will be remembered this coming year. So those of you who have often spoke about mandated programs and paying our share and paying county government for what we tell them to do should be voting Yes on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 2155 pass. Those in favor will vote Aye. Those opposed vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 29, the Nays 25, none voting Present. Senate

SB 2173  
3rd Reading

Bill 2155 having failed to receive a constitutional majority is declared lost. (Machine cutoff)...Bill 2157, Senator Rock. 2173, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

Senate...Senate Bill 2173.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 2173 is a bill that was introduced by the Chamber of Commerce...the State Chamber of Commerce and asked that the Federal Income Tax return that has been amended at the Federal level, you do not have to amend the State Income Tax until one hundred and twenty days rather than a twenty-day mandate at this point. There is no opposition from the Department of Revenue that I know of.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2173 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2173 having received the constitutional majority is declared passed. Senate Bill 2177, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2177.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does, 2177, since we passed 1662 we presently have forty-four enterprise zones in the State with four left to be passed out over the next two years. What's this does is increases the number from forty-eight to sixty. If the Governor should decide to again issue twelve enterprise zones this year, then we have to make up the eight and eight for the next two years, and I think it's good bill, and I ask for its adoption.

PRESIDENT:

Any discussion? Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President...didn't we discuss this issue already?...wasn't this a...a bill that was previously discussed today?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does is different. This adds to the end...twelve to the end. It increases forty-eight to sixty; in other words, if Senator Welch's which...which we...if...if we passed, there will be four enterprise zones left for the next two years. What this does is adds an additional twelve to the end so that there's eight and eight for the next two years. We have two more years under the program that we set up. So what this does is set up sixty.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, why do we limit it? Why not just open-end it and be done with it?...I'd like for him to respond.

PRESIDENT:

...Senator Lemke.

SENATOR LEMKE:

Well, I think what the enterprise zone theory was set up

with is with the legislative direction of controlling the Executive Branch, and I think that's what we're doing here. But we're allowing the Executive Branch to add twelve for the last two years; yet, we didn't make up the difference to spread it over the time till the program ended. And what I'm doing here is...is if the Governor should expand his enterprise zones to twelve, for the next two years at least he'll have eight and eight, and that was the original attempt of the legislation that Senator Totten and I passed sometime ago.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

In...in a sense you're right, Senator Watson. The...what we ought to do, and I understand Senator DeAngelis has now joined in suggesting this is, just simply declare the entire State an enterprise zone, because we are rapidly moving in that direction. But...until the administration and the Legislature is ready to do that, I...Senator Lemke's bill makes a great deal of sense, because it...it just makes the mathematics work out much more evenly. And, my guess is,...why don't you offer an amendment at some stage or have somebody in the House do it just to open end it or declare the whole State one? I think we are heading in that direction.

PRESIDENT:

Further discussion? Further discussion? Senator Lemke, you wish to close?

SENATOR LEMKE:

I just ask for a favorable vote.

PRESIDENT:

The question is, shall Senate Bill 2177 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who

wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 1 Nay, 2 voting Present. Senate Bill 2177 having received the required constitutional majority is declared passed. All right, ladies and gentlemen, we will move now to the Order of House Bills 1st Reading. Then we will move to the Order of Secretary's Desk Resolutions, then we'll handle the Messages from the House and whatever paper work and we will then be finished for the day. We will reconvene at ten o'clock...ten o'clock tomorrow morning. I understand the Governor's summit meeting is scheduled for eleven. So we will convene at ten tomorrow morning and begin on the Order of Senate Bills 2nd Reading. All right. With leave of the Body on the Order of House Bills 1st Reading, Mr. Secretary.

END OF REEL

REEL #4

SECRETARY:

House Bill 681, Senate sponsor is Senator Schaffer.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1229, Senator Hall.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1446, Senator Smith.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1954, Senators Geo-Karis and Jones.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2486, Senator Weaver.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2528, Senator Luft.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. All right, if you'll turn to page 28 on the Calendar, pages 28 and 29, on the Order...with leave of the Body, we'll move to the Order of Secretary's Desk Resolutions. Senator Karpel, Senate Resolution...or Senator Kustra, I'm sorry, Senator Kustra on 411. All right, while we're looking for Senator Kustra, if you'll turn back to page 27, Mr. Secretary, there's been a request of the sponsor, bottom of page 27 on the Order of Constitutional Amendments. Sponsor has requested that...that the Constitutional Amendment be read in full the first time. House Joint Resolution Constitutional Amendment 8, Mr. Secretary.

SECRETARY:

House Joint Resolution Constitutional...House Joint Resolution No. 8 Constitutional Amendment.

(Secretary reads HJR No. 8 CA)

1st reading of the Constitutional Amendment House Joint Resolution No. 8.

PRESIDENT:

All right, page 28 on the Calendar, on the Order of Secretary's Desk Resolutions, Senate Resolution 411, Senator Kustra. Senate Resolution 514, Senator Lemke. Senator Lemke.

SENATOR LEMKE:

I think there's an amendment which we're negotiating. This is the tollway bill. Okay.

PRESIDENT:

Right. Senate Resolution 514, Mr. Secretary.



SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

This bill we're going to hold...

PRESIDENT:

All right, take...

SENATOR LEMKE:

...till we get the amendment worked...I understand we have an amendment and then there's another amendment from the Tollway Authority...

PRESIDENT:

...all right, take it out of the...

SENATOR LEMKE:

...let's work out the problems.

PRESIDENT:

Gottcha. Take it out of the record, Mr. Secretary. 551, Senator Watson. Senate Resolution 624, Senator Netsch...695, Senator Dawson. 736, Senator Lechowicz. 765, Senator Lemke. 781, Senator Collins. Senator Collins, the Secretary informs me there's an amendment that's been filed. Do you wish to proceed? All right. Senate Resolution 781, Mr. Secretary.

SECRETARY:

Executive Committee offers one amendment.

PRESIDENT:

Senator Collins on Amendment No. 1.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. The amendment that was put on in the...in the Executive Committee was an agreed amendment to clarify the language in the bill so that it would be very clear that the...that the scope of this study would not be limited to those...only

those patients who were released from the State mental institutions during the time of the decentralization of those clients, and the amendment has been agreed to by Senator DeAngelis and...and the staff on the other side and this side, and I would ask for the favorable adoption of this amendment.

PRESIDENT:

All right, Senator Collins has moved the adoption of Amendment No. 1 to Senate Resolution 781. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Any further amendments, Mr. Secretary?

SECRETARY:

No...no further committee amendments.

PRESIDENT:

Any further amendments from the...any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Collins.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

I'm...I'm...I'm informed that the...the proper procedure what we've needed to have Tabled...Committee Amendment No. 1 first and then put 2 on.

PRESIDENT:

All right.

SENATOR COLLINS:

We should have Tabled that amendment.

PRESIDENT:

All right, Senator Collins having voted on the prevailing side moves to reconsider the vote by which Amendment No. 1 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The

vote is now reconsidered. Senator Collins now moves to Table Committee Amendment No. 1 to Senate Resolution 781. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments, Mr. Secretary?

SECRETARY:

Again, no further...no...further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Collins.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, thank you. Now, this is the amendment that I explained at first and I would ask for a favorable consideration of that amendment.

PRESIDENT:

All right, Senator Collins has moved the adoption of Amendment No. 2 to Senate Resolution 781. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 2 is adopted. Senator Collins, you wish to proceed on Senate Resolution 781 as amended? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. The purpose behind Senate Resolution 781 is to hopefully shed some light on the plight of the mentally ill in the State of Illinois. There have been a lot of discussion and a lot of complaints made about the status of many mental ill patients who are, for whatever reasons, are currently now in independent living settings and many are without any supervision at all. There's also a question as to how many of the...the so-called street people, the homeless people are among the...the

mentally ill; and there's even a greater question, how many of those persons who are currently among the street people, the people without shelter in this State are...actual residents of the State of Illinois, and there are a great number of these people wandering around in the communities...around abandoned building and also loitering around so-called shelters that suppose to provide adequate independent living settings for these people and there's a lot of questions about the quality of services being provided to those people. I feel and many people feel that it is our responsibility to protect the welfare and...and health of all citizens in this State and...particularly those patients and people who are, for whatever reason, unable to care for themselves, and I feel that it is time that we take a very close look at the plight of the mentally ill in the State of Illinois. This resolution would provide that opportunity by creating a task force which would, in fact, investigate the status, the quality of health...care and the availability of care to the mentally ill, and I would ask for favorable consideration of this resolution.

PRESIDENT:

All right, Senator Collins has moved the adoption of Senate Resolution 781 as amended. Discussion? Senator Schaffer. Well, she will be...we're asking for discussion, if there is any.

SENATOR SCHAFFER:

Well, sorry. I was just wondering what the citizens' assembly in...in this area that's chaired by Senator Kelly was doing and also, frankly,...obviously, I wasn't very happy about the Mental Health Commission being dissolved a couple of years ago. I think that was a tragic mistake and many of the concerns that Senator Collins has mentioned are very real and very legitimate and...and we are...we have at this point not been doing much. But my question is, how are we going to

staff this and how are we going to fund it and what exactly are those citizen assemblies supposed to be doing? That's somewhat of a mystery to me, I'll be honest, and maybe Senator Kelly could illuminate us.

PRESIDENT:

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. To Senator Schaffer, the Citizens' Council on Mental Health and Developmental on Disabilities is just getting off the ground. We are just beginning our...our sessions and meetings. We are, as you know, very underfunded and very understaffed and it's going to be very difficult at this early stage to undertake...the...what would you say, the...the requests are being made by Senator Collins for a lot of information that would require a lot of detail, a lot of review. We are concerned, our...I can speak for the members of our citizen council, in what Senator Collins is trying to address and I have apathy for the homeless, for the people that have been deinstitutionalized and sent to private living centers and are not being supervised. We know that more supervision is needed for these private settings. That's one of the drawbacks. There's advantages, maybe, to have a good quality private setting but a lot of these private settings are not of this high quality, and I think that's what Senator Collins is trying to get at. So, I think the Senator, at this particular junction, has a...a worthy resolution. I would hope and...within the next year that the citizens' council could undertake this project and not place this in the laps of the General Assembly. But at the present time, I think that we should support her resolution.

PRESIDENT:

All right, any further discussion? Senator Collins, you wish to close?

SENATOR COLLINS:

I would...just ask for a favorable consideration.

PRESIDENT:

All right, the question is, shall Senate Resolution 781 be adopted. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, no Nays, none voting Present. Senate Resolution 781 as amended is adopted. Senator Watson on Senate Resolution 551. Senator Watson.

SENATOR WATSON:

Thank you. Is the appropriate motion at this time to Table...

PRESIDENT:

That...that motion is always in order.

SENATOR WATSON:

Then I so wish to have it Tabled.

PRESIDENT:

Senator Watson moves to Table Senate Resolution 551. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Motion carries. Senate Resolution 551 is Tabled. 782, Senator DeAngelis. Senate Resolution 782, Mr. Secretary.

SECRETARY:

No amendments on 782.

PRESIDENT:

All right. On the Order of Secretary's Desk Resolutions, Senate Resolution 782, Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Resolution 782 directs the Board of Higher Education, with the assistance of some other people, to present to the General Assembly a program whereby parents can under a tax exempt investment provide for the education of their children in the future. This is a con-

cept which has not been used across the country, although Michigan is currently investigating the same type of proposal. It's going to take quite a bit of work and I would like to see if the Board of Higher Ed. can come back with some recommendations to the General Assembly, because in the future it's going to require some pretty creative methods of financing college educations, and we want to encourage the parents to participate. So, I urge the adoption of Senate Resolution 782.

PRESIDENT:

All right, Senator DeAngelis has moved the adoption of Senate Resolution 782. It does call for the expenditure of State funds and will therefore require a...record vote of the constitutional majority for approval. Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. Senator DeAngelis, I think the resolution actually requires or asks the Illinois Board of Higher Education to analyze the suitability of a...of a tax exempt investment plan for the State of Illinois rather than mandating them to submit one to us for our approval. I think you used that latter terminology. There are a number of us who would be very pleased to see their analysis and the results of that but are not willing at least at this point to make a commitment to supporting the idea of a tax exempt investment plan. So, I think that's just an important correction for many of us. And on that basis, I think it is appropriate that we have the study made so that we know whether it does or does not make sense.

PRESIDENT:

Question is the adoption of Senate Resolution 782. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that ques-

tion, there are 48 Ayes, no Nays, none voting Present. Senate Resolution 782 is adopted. Senator Berman on 787. On the Order of Secretary's Desk Resolutions, Senate Resolution 787, Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, Senate Resolution 787 directs the Attorney General to investigate the problem of computer related crime, to hold public hearings in which the business and financial community, law enforcement agencies and computer security experts may offer recommendations for legislations to deal with the problem. Be glad to respond to any questions.

PRESIDENT:

All right, Senator Berman has moved adoption of Senate Resolution 787. Any discussion? If not, those in favor of the adoption will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, no Nays, none voting Present. Senate Resolution 787 is adopted. 804, Senator Etheredge. 813, Senator Lemke. 814, Senator Holmberg. HJR 65, Senator Lechowicz. HJR 104, Senator Luft. HJR 175, Senator Newhouse. Senate Joint Resolution 124, Senator Vadalabene. On the Order of Secretary's Desk Resolutions, middle of page 29, is Senate Joint Resolution 124, Mr. Secretary.

SECRETARY:

The resolution has no adoption. It's recommended...adopt by the committee.

PRESIDENT:

Senator Vadalabene on Senate Joint Resolution 124.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate joint resolution provides and urges Congress to enact



House Resolution 3747 which would provide on-the-job-training benefits for veterans, and I'd appreciate a favorable vote.

PRESIDENT:

Senator Vadalabene has moved the adoption of Senate Joint Resolution 124. All in favor...any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Watson on SJR 135. On the Order of Secretary's Desk Resolutions is Senate Joint Resolution 135. No amendments the Secretary informs the Chair. Senator Watson on Senate Joint Resolution 135.

SENATOR WATSON:

Thank you, Mr. President. This resolution was introduced the day the prisoners of war were here and had their ceremony on the Senate Floor, and it's one in which the preamble recites that Title No. 30-A of the United States Code provides for specific benefits for our nation's former prisoners of war; and currently pending in the United States Legislature is legislation which will amend this Title A to broaden the benefits of the prisoners of war suffering from long lasting illness and disorders or conditions resulting from their incarceration. I...I would ask...and I feel that we should support such a resolution and ask for a favorable vote.

PRESIDENT:

Is there any discussion? Any discussion? If not, Senator Watson has moved the adoption of Senate Joint Resolution 135. All in favor of the motion to adopt indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

I didn't hear you call Senate...Resolution 765.

PRESIDENT:

It...it was called. Do you wish to go back to that order?

SENATOR LEMKE:

Yes.

PRESIDENT:

All right, on the Order of Secretary's Desk Resolutions, the middle of page 28, Mr. Secretary, is Senate Resolution 765. Senator Lemke.

SENATOR LEMKE:

What this resolution does is calls...the...on the Federal Government that advocates the use of domestic products and U.S. Naval and Coast Guard vessels. What we have found out is that strategic parts are being made in foreign countries and are not being made here. I found this out from people in my area, in Cicero, that are in an enterprise zone we're trying to help but they're sending these parts out to foreign countries to be made; and I think it's a wrong procedure for our government in...in regards to defense to be...relying on some other country to supply us with vital parts and, therefore, I think we should pass this resolution and ask the Department of Defense to stop this and look for local supporters since we have many people unemployed.

PRESIDENT:

All right, Senator Lemke has moved the adoption of Senate Resolution 765. Is there any discussion? If not, all in favor of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Lemke.

SENATOR LEMKE:

Senator Rock, we have Senate Resolution 813 which is part of the teenage package. I would like to have leave to have that called when we call those particular bills on the Calendar when they're ready.

PRESIDENT:

All right,...

SENATOR LEMKE:

I understand there's some amendments.

PRESIDENT:

...that request is in order. Senator Lechowicz, Senate Resolution 736. The middle of page 28, on the Order of Secretary's Desk Resolutions is Senate Resolution 736. The Secretary informs the Chair there are no amendments. Senate Resolution 736, Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Resolution 736 urges the U. S. Secretary of Interior, Mr. Hodell, to reinstate Lee Iococca as chairman of the Statue of Liberty, Ellis Island Centennial Commission. As you know, that probably...according to the newspaper surveys, he's probably the third most honored individual in the United States. He had the fortitude and foresight to assemble a voluntary group of individuals who had the ability to raise two hundred and thirty-five million dollars for probably one of the most worthwhile purposes that this country has seen in this decade and, unfortunately, there was a conflict of personalities, really, and Mr. Hodell had the audacity to remove him from his worthwhile chairmanship. Not only was I shocked and hurt by the fact that here's a man who took time out of his personal life and assembled probably one of the most worthwhile projects and now an oversight can be corrected. And all we're saying is that, yes, Mr. Lee Iococca, we've not only appreciated the fine work you've done for Chrysler Corporation in the State of Illinois in bringing back that industry not only in this State but throughout the country; yes, we also appreciate your fine work you've done as a volunteer in assembling this worthwhile project so all Americans can be proud of the fact that this fine individual has contributed above and beyond the call of duty. That was the purpose of Senate Resolution 736 and I would hope that this Body would adopt it.

PRESIDENT:

All right, Senator Lechowicz has moved the adoption of Senate Resolution 736. Discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield. Senator Keats.

SENATOR KEATS:

Senator Lechowicz, are you aware that Lee Iococca was removed at his own recommendation?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

I had the opportunity of writing to Mr. Lee Iococca and I have a response from him. I did send him a copy of the resolution as well and I also encouraged that he look into the political field based upon the book that I've...that I've read. In his response to me, it was more as a matter of accommodation so there wouldn't be a difference of opinion between this...his administration as a volunteer and the request of Mr. Hodell. I think it was done more as a matter of courtesy, not that he wanted to do it.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Okay. Just in speaking to explain that Lee Iococca said that the two jobs were in direct conflict with each other and that one or the other should be removed, and upon his own recommendation, they removed one. He was removed and understood that. I do say due to the political tone, as you mentioned, I wouldn't mind seeing him run for office either, but if he'd run as a Republican I would like him more; but the point is, he did leave office at his own recommendation, not at someone else's suggestion. Therefore, to say, please, reinstate him, we'd have to get Lee Iococca to say he'd

change his own judgment, and if there's one thing I can say about Mr. Iococca, he does not change his mind easily.

PRESIDENT:

Any further discussion? Further discussion? If not, Senator Lechowicz has moved the adoption of Senate Resolution 736. All in favor of the adoption indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. House Joint Resolution 65. On the Order of Secretary's Desk Resolutions is House Joint Resolution 65, Mr. Secretary.

SECRETARY:

House Joint Resolution 65 with committee...Executive offers one amendment.

PRESIDENT:

Senator Lechowicz on Committee Amendment No. 1.

SENATOR LECHOWICZ:

Thank you, Mr...Mr. President. I move the adoption of Committee Amendment No. 1. Basically what it did, it calls for the resolution for the Department of Public Aid to report to the General Assembly by April of 1986, and the amendment called for that being changed to November of 1986. This is in reference to Title 19 of the Federal Social Security Act requires every State operating a Medicare program to...to provide services to all children eligible for Medicaid. It...the program requires a battery of tests for children for preventive measures. The Department of Public Aid and Department of Public Health have initiated special programs to reduce infant mortality and promote health of the children. This would urge the Department of Public Aid to maximize the use of the federally early periodic screening diagnosis and treatment program. There was no opposition of this resolution in committee. It passed unanimously in the House and I would encourage that this Senate do adopt House Joint Resolution 65.

PRESIDENT:

All right, Senator Lechowicz has moved the adoption of Committee Amendment No. 1 to House Joint Resolution 65. All in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Senator Lechowicz now moves the adoption of House Joint Resolution 65. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further business to come before the Senate? Mr. Secretary, Messages from the Governor.

SECRETARY:

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

PRESIDENT:

Hold it, Mr. Secretary, please. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

...believe, Mr. President, that there...may be an expenditure of funds on that last resolution. It would require a roll call.

PRESIDENT:

Senator Lechowicz, as the sponsor, you're certainly entitled to a roll call. Mr. Secretary, on the Order of Secretary's Desk Resolutions, House Joint Resolution 65, the adoption of that resolution has been moved by Senator Lechowicz. He had...the gentleman has suggested it may involve the expenditure of State funds and has requested a roll call. Those in favor of the adoption will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. House Joint Resolution 65 is adopted. Messages from the Governor, Mr. Secretary.

SECRETARY:

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

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

To the Honorable members of the Senate of the 84th General Assembly, I have nominated and appointed the following named persons to the offices enumerated below and respectfully as concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDENT:

Committee on Executive Appointments. Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all congratulatory.

887, by Senators Etheredge and Fawell.

888, Senator Dunn.

889, Senators Topinka and Fawell.

890, by Senator Degnan.

891, by Senators Netsch, Berman, Poshard, Rock, Sangmeister and Lechowicz.

892, by Senators Kelly and DeAngelis.

893, by Senator...Senators Demuzio, Rock and all Senators.

PRESIDENT:

Consent Calendar.

SECRETARY:

And Senate Resolution 894, by Senator Barkhausen.

PRESIDENT:

Consent Calendar. 894 to Executive.

SECRETARY:

Senate Joint Resolution 150, by Senators Watson and Poshard.

PRESIDENT:

Executive.

SECRETARY:

And Senate Joint Resolution 151, by Senator Macdonald.

PRESIDENT:

Executive.

SECRETARY:

Senate Joint Resolution 152, by Senators Berman, Carroll, Marovitz and Rock.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I'd move...I would move that we waive the appropriate rules for immediate consideration of...Senate Joint Resolution No. 152. It congratulates the State of Israel on its thirty-eighth anniversary of its founding, and we ask that this be considered immediately because of a function that will take place on Thursday of this week, so we would ask for immediate consideration.

PRESIDENT:

All right, Senator Berman has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 152. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Berman now moves the adoption of Senate Joint Resolution 152. Senator Berman.

SENATOR BERMAN:

Move the adoption of Senate...Joint Resolution 152...

PRESIDENT:

All right, Senator Berman has moved the adoption of Senate Joint Resolution 152. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

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



point of personal privilege. The Pages have...disseminated the announcement that the North Point Marina Excursion up on...in...in the Zion...will take place on July 20, 21 and 22, 1986. Please mark your calendars for all the Senators and the Representatives, and they...they had these things distributed to the mail boxes and they had my name in the corner and they thought that that belonged to me, so this is for each one of you and we'd love to have you come.

PRESIDENT:

All right, any further announcements? Further business to come before the Senate? Ladies and gentlemen, ten o'clock tomorrow morning. We will begin right on time and start with Senate bills 2nd reading, at the hour of ten o'clock. Senator Vadalabene moves that the Senate stand adjourned until Wednesday, May 14, at the hour of 10:00 a.m. Ten o'clock tomorrow morning.

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