

84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 22, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of ten o'clock having arrived, the Senate will come to order. Members will be in...at their desks. Our guests in the gallery will please rise. Our prayer today will be by Rabbi Israil Zoberman of the Temple B'rith Sholom here in Springfield. Rabbi.

RABBI ZOBERMAN:

(Prayer given by Rabbi Zoberman)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal.

SECRETARY:

Wednesday, May the 8th, and Thursday, May the 9th, 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Mr. President, I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the motion. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is adopted. Senator Nedza.

SENATOR NEDZA:

Mr. President, I move that the reading and...and approval of the Journals of Tuesday, May 14th; Wednesday, May 15th; Thursday, May 16th; Friday, May 17th; Monday, May 20th and Tuesday, May 21st, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the motion. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is carried. Messages from the House.

SECRETARY:

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

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

House Bills 18, 34, 62, 90, 123, 152, 153, 198, 243, 251, 320, 348, 387, 408, 409, 447, 467, 514, 580, 582, 591, 593, 598, 636, 682, 724, 791, 805, 815, 861, 932, 935, 952, 982, 997, 1012, 1023, 1026, 1027, 1033, 1034, 1037, 1050, 1051, 1053, 1054, 1126, 1127, 1148, 1159, 1160, 1177, 1216, 1217, 1218, 1258, 1382, 1389, 1395, 1528, 1847, 2259 and 2387.

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

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

House Joint Resolution 51 is congratulatory.

And House Joint Resolution 52 is commendatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. With leave of the Body, we'll go to House bills 1st reading. Is leave granted. Leave is granted. On the Order of House Bills 1st Reading, Mr. Secretary.

SECRETARY:

House Bill 82, Senator Zito is the Senate sponsor.

(Secretary reads title of bill)

House Bill 312, Senator D'Arco.

(Secretary reads title of bill)

House Bill 319, Senator Netsch.

(Secretary reads title of bill)

House Bill 324, Senators Newhouse and Collins.

(Secretary reads title of bill)

House Bill 360, Senator Sangmeister.

(Secretary reads title of bill)

House Bill 381, Senators Geo-Karis and Lemke.

(Secretary reads title of bill)

House Bill 479, Senators Geo-Karis and Lemke.

(Secretary reads title of bill)

521, Senator Topinka.

(Secretary reads title of bill)

House Bill 563, Senator D'Arco.

(Secretary reads title of bill)

House Bill 571, Senator Hall.

(Secretary reads title of bill)

House Bill 605, Senator Fawell.

(Secretary reads title of bill)

House Bill 739, Senator Fawell.

(Secretary reads title of bill)

House Bill 833, Senator Etheredge.

(Secretary reads title of bill)

House Bill 881, Senator Vadalabene.

(Secretary reads title of bill)

...House Bill 895, Senator Smith.

(Secretary reads title of bill)

House Bill 909, Senator Degnan.

(Secretary reads title of bill)

House Bill 943, Senator Smith.

(Secretary reads title of bill)

House Bill 1018, Senator Collins and Newhouse.

(Secretary reads title of bill)

House Bill 1042, Senator Bloom.

(Secretary reads title of bill)

House Bill 1314, Senator Luft.

(Secretary reads title of bill)

House Bill 1355, Senator Sangmeister.

(Secretary reads title of bill)

House Bill 1938, Senator Fawell.

(Secretary reads title of bill)

House Bill 2431.

(Secretary reads title of bill)

House Bill 895 was read in as Senator Smith, it would be Senator Rock-Smith.

1st reading of the foregone bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 259 offered by Senator Demuzio, it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. (Machine cutoff)...Senator Marovitz on the Floor? Senator Netsch on the Floor? On the Order of Recalls, there has been a list that has been passed out to the members. We will attempt to begin at the top and go right on through. Is Senator Marovitz on the Floor? (Machine cutoff)...171, Senator Netsch. Senator Netsch seeks leave of the Body to return Senate Bill 171 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 171, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Amendment...thank you, Mr. President. Amendment No. 2 is a technical one which was called to our attention I assume by either the Reference Bureau or Enrolling and Engrossing and it inserts the word, "of" in one line of the bill, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Netsch has moved the adoption of Amendment...Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I'm sorry, I wasn't on the...I was in the phone booth and not on the Floor. Senator Netsch, can you tell me what the amendment does, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

On page 3, line 5, it inserts the word "of" before the word "this." It's a technical one that was called to my attention, I think by the Reference Bureau, Senator Macdonald.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

...I just want to say, I wish the rest of the bill was that...was that uncomplicated. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved the adoption of Amendment No. 2 to Senate Bill 171. Further discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Senator Macdonald, the...the next three have some substantive contents, you might want to...pay particular attention. In Amendment No. 3 we delete...or I am proposing to delete Section 8 which is the section that included within the purview of the partial public financing campaign bill the inaugural committees and contributions. One of the points that the Governor made in his Veto Message was that he thought it was not appropriate to apply the restrictions to

committees that were formed to put on the inauguration for a lot of reasons including the fact that sometimes they were jointly sponsored. And so I have heeded that particular admonition and this amendment would totally remove Section 8, which is the section that restrains...contributions and requires reporting with respect to inaugural committees. Then the rest of the amendment simply rennumbers everything after that because we are eliminating Section 8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...any discussion? Senator Macdonald.

SENATOR MACDONALD:

Senator Netsch, wonder if you...are...are...is there another amendment, too? Unfortunately, we don't have copies of those amendments and I just wonder if we might be able for...just momentarily until we can take a look at these amendments, could...would you mind taking it out of the record?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

No, I will be happy to. I'm sorry, I...I was not aware you did not have copies. May we...we can get back to it at some point, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Netsch, why don't we just...why don't we just leave the bill on 2nd reading. We've already adopted Amendment No. 2 and the bill is on the Order of 2nd Reading, so when we come back to it, it'll be there, okay? All right. Is there leave to get back to this a little later? Leave is granted. 193, Senator Smith. On the Order of Recalls, Senate Bill 193. Senator Smith seeks leave of the Body to return Senate Bill 193 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate

SB 576
Recalled

Bill 193, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Senate...Senate Bill 193 has an Amendment No. 2 which merely...rather than making it mandatory is merely stating that we encourage and that we are also asking that voluntarily that they would submit names to the agency. I ask for your adoption, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Smith has moved the adoption of Amendment No. 2 to Senate Bill 193. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 486. Senator D'Arco on the Floor? Senator D'Arco on the Floor? 576, Senator...Topinka. All right, Senator Topinka seeks leave of the Body to return Senate Bill 576 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 576, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate. First and foremost...having...I'd like to reconsider

the vote by which Amendment No. 1 was adopted for the purpose of Tabling it and then proposing Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka has moved to reconsider the vote by which Amendment No. 1 was adopted. Those in favor signify...having...voted on the prevailing side, Senator Topinka moves to reconsider the vote by which Amendment No. 1 was adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Topinka now moves to Table Amendment No. 1. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Thank you, Mr. President. I just wanted to ask the sponsor of the Tabling...Amendment...to...why is she Tabling it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Topinka.

SENATOR TOPINKA:

We're Tabling Amendment No. 1 because the wrong fund was mentioned and we're taking it...Amendment No. 2 puts it into the right fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further amendments?

SECRETARY:

Amendment No. 2 offered by...Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Amendment No. 2 basically puts the...the...fund

SB 645
Recalled

that...we're talking about back into the Agriculture...the Race Track Improvement Fund and...ultimately that would take care of any of the flow-over from one race track to another when there were too many horses to be taken care of during a racing season.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka has moved the adoption of Amendment No. 2 to Senate Bill 576. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 645, Senator Barkhausen. Senator Barkhausen seeks leave of the Body to return Senate Bill 645 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 645, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, if I may, Amendment No. 1 is...is...the lead sponsor is Senator Bloom, I'll let him proceed as I believe he's prepared to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. This is the Criminal Victims' Escrow Account Act, and the recent situation involving the recanted testimony of Mr...Mrs. Webb points out a glitch in the Act, and that is, what happens when the victim says, I'm not a victim? The amendment says

in that case...and I'll read it to you because there has been some misunderstanding about it in the media. It says that "If no civil actions are pending" that is, if a victim is not seeking to get the monies in this instance, "If no civil actions are pending or registered under Section 4 with the treasurer against such person in whose name an escrow account was established within one year after the establishment of the escrow account, the treasurer shall deposit all monies in such account into the Violent Crimes Victims' Assistance Fund in the State Treasury." In other words, where the victim says I'm not a victim and makes no application, then, if indeed, the felon is still a felon the monies would go into the Crime Victims' Compensation Fund for the benefit of other crime victims. I'll answer any questions, otherwise, seek its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Bloom moves the adoption of Amendment No. 1 to Senate Bill 645. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2, by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, it was thought that in order to make the collection of any funds that are...that accrue to a...a criminal as a result of publicity arising from a depiction or description, publicity about the crime itself that in order to make this truly enforceable that we needed a mechanism to create a...a lien against any proceeds arising from such publicity and that's what Amendment No. 2 does. It...it says that a lien shall automatically be created

against the proceeds or consideration for any contract entered into by a criminal having to do with the crime itself, and it also establishes a procedure for the Attorney General who is responsible for the Crime Victims' Compensation Fund to enforce the lien and...and collect these proceeds and I would move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 2 to Senate Bill 645. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 646, Senator Barkhausen. Read the bill...to save time, Senators, I would like at this time to make...have a motion to bring back the following Senate bills on recall from the Order of 3rd Reading back to 2nd reading for purposes of amendment; 646, 665, 694, 736, 749, 760, 835, 949, 1153, 1160, 1276, 1321, 1346, 1352, 1404 and 1408, all for purposes of amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 646, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I would ask that Amendment No. 2 be withdrawn.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen seeks leave to withdraw Amendment No. 2. Is leave granted? Leave is granted. Any further amend-

*SB 665
Received*

ments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 665, Senator Lechowicz. Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. As a hyphenated sponsor of 665, Senator Lechowicz has asked me to handle this amendment and I'd ask leave to handle it for him.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objection, leave is granted. 665, read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Lechowicz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft for Senator Lechowicz.

SENATOR LUFT:

Thank you, Mr. President. This amendment is a clarifying amendment and deals with the provisions of the...utility tax exemption. And it allows...or shall...provides that DCCA shall have the authority and responsibility to establish the rules and regulations to implement the provisions of the exemption. And I would move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Luft moves the adoption of Amendment No. 4 to Senate Bill 665. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 694, Senator Topinka. Read the

bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...No. 2 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Amendment No. 2, Ladies and Gentlemen of the Senate, adds six basic things. One, it adds the intent...element to the provision, then it also increases the notice...acknowledgement that we have in there from thirty to forty-five days. We increase a threshold amount into the trigger provision to three thousand dollars or more, then we require a failure to substantially perform to take care of partial performance situations, that has been added into it. Then we've made a provision that's inapplicable where the owner initiates a suspension of performance so that no one can have a harassment type situation be created. Then we also make a provision where...that it is...inapplicable where permits...where the owner permits a response to the notice...or the company...I can't read your writing...permits a response to the notice within forty-five...in a forty-five day period. What we're trying to do here is take care of any of the concerns that the Illinois Retail Merchants Association may have had with the bill. It's my understanding now that they have no concerns.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Topinka moves the adoption of Amendment No. 2 to Senate Bill 694. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Channel 25, WEEK-TV of Peoria requests

AB 749
Recalled

permission to videotape. Is leave granted? Hearing no objection, leave is granted. Senate Bill 736, Senator Kustra. On the Order of Senate Bills 2nd Reading, Senate Bill 736, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Bloom, Luft and Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom. Senator Kustra, you're also the amendment's sponsor. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, but I would defer to Senator Bloom. If he's not here, I assume he wants to hold that amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have three amendments...for 736, Senator. Take it out of the record. Senate Bill 749, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. This is a technical amendment which changes some language to read "Nothing within this section shall imply or presume that joint custody shall necessarily mean equal parenting time." I urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Amendment No. 3 to Senate Bill 749. Those in favor indicate by saying Aye. Those opposed. The ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Bloom, are you ready on 736? No.

Senator Bloom?

SENATOR BLOOM:

Yeah, in the interest of time, why don't we withdraw those three amendments because they're already on...Senate 1063.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom seeks leave of the Body to withdraw the amendments to Senate Bill 736, the three amendments. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 736 will now be moved to the Order of 3rd Reading. Senate Bill 760, Senator Marovitz. Read the bill, Mr. Secretary. 749 was moved to 3rd reading. Senator Marovitz on 760. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No....let's see, I think...I think there's an amendment that we have to Table. Is there...is there an Amendment No. 3...also? So we want to Table Amendment No. 1. Okay. Having voted on the prevailing side...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz having voted on the prevailing side moves to Table...moves to reconsider the vote by which Amendment No. 1 is adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Now, Senator Marovitz moves to Table Amendment No. 1 to Senate Bill 760. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is Tabled. Any further amendments?

AB 835
Recalled

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2 to Senate Bill 760...changes the bill so that in regards to seat belts on school buses it is a local option; it is not mandatory and it is up to the local school districts whether they would like it or not, and I would ask for adoption of Amendment No. 2 to Senate Bill 760.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 2 to Senate Bill 760. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 835, Senator Hudson. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Hudson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. Speaker, Ladies and Gentlemen of the Senate...Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 3 simply brings the language of the bill as amended in line with what the commissioner of banks had in mind in the first place vis-a-vis the advisory committee that the bill creates and the corporate fiduciaries. The commissioner of banks and fiduciaries are in accord with this amendment. I know of no opposition to it and would...move

*SB 949
2nd Reading*

for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Husdon moves the adoption of Amendment No. 3 to Senate Bill 935. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 949, Senator Karpziel. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Karpziel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Amendment No. 1 deletes the provisions currently in the bill and adds uniform medical standards to the Workers' Compensation Act. Specifically this adopts the American Academy of Orthopedic Surgeons' Manual for Orthopedic Surgeons in Evaluating Permanent Physical Impairment as the standards or the foundation for determining permanent-partial disability under Section 8 of the Workers' Compensation Act. Today, permanent partial cases account for nearly sixty percent of total compensation paid under the Act. The lack of uniformity in establishing permanent-partial loss leads to excessive litigation, delayed payments to the injured workers, inconsistent awards and a backlog of cases at the Industrial Commission. This amended is...this amendment is intended to reduce litigation for the bulk of cases which could be settled otherwise and this in turn will ease the burden of Industrial Commission to enable the arbitrators and commissioners to handle those cases which truly do need litigation. The adoption of these uniform

medical standards will assure fair and equitable treatment for all employers and employees in Illinois. I ask for your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in very strong opposition to Amendment No. 1 to Senate Bill...949. And I'm also very, very...disappointed that a member of the Labor Committee would give their word that a bill would not be used as a vehicle and...once we allow a bill to be debated and passed out of that committee on a affirmative vote. This is most certainly a total violation of the trust and agreements...working agreements that we have on the...the Labor Committee. Now to the...to the bill itself. This issue has been debated over the years and I think that we most certainly...it is a very major...of the workers' comp. laws. May I have some...some...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Let's break up these conferences down in the...Senator Demuzio...Senator Poshard, Kirk Dillard...Senator DeAngelis...Senator Hudson.

SENATOR COLLINS:

Thank you, Mr. President. While there...I...I can agree that there is a need to take a very critical look at the worker comp. laws in the State of Illinois. We most certainly cannot do justice and...and...and be fair about doing that by coming to the last minute before...the deadlines to getting bill out of the Senate and to adopt this kind of amendment without adequate debate and input from all sides involved. This is not the way to do business and I would ask that we most certainly defeat this...this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I'm not going to make a speech on the issue 'cause I think most people are aware, but I do want to correct one thing. The sponsor of this bill at no time, let me just...at no time said this bill would not be amended. It came out over the opposition of the chairman with the...mild assistance of some Democrat members of the committee. I don't want to say anything more than that to...but no time did anyone every promise that this bill would not be amended; in fact, I think when it came out, everyone was completely aware that an amendment would be put on it or at least offered. So from that angle, I don't intend to make a speech on it but I do want to correct the...perhaps misunderstanding, no one every said that this bill would...that an attempt would not be made to amend it, that was the general understanding. And with that, I'm going to support the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Well, just very briefly, Mr. President. I, too, would like to echo what Senator Keats has just said. I think, as a matter of fact, there...there probably was a tacit understanding that there would be some changes made in this bill in committee. And I recall no...no commitment that the bill would remain in the form that it...that it left the committee. So, having said that, I, too, would add my support to what Senator Karpel is endeavoring to do here in the interest of our business community.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR BERMAN:

Are you familiar with the...document called the Manual for Orthopedic Surgeons in Evaluating Permanent Physical Impairment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel.

SENATOR KARPIEL:

Yes, I have it right here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Is that the document that would have to be used by the arbitrator in evaluating the degree of permanent disability?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel.

SENATOR KARPIEL:

From what I understand, the way it would work is that the...the employee could go to his doctor and this document would be used in determining the...you know...so that basically what we're trying to do is to cut down on the amount of litigation. That doesn't mean that an employee who was not a...did...didn't like the award amount that was...was specified could not still litigate. But it would be hopeful that they could just use this and it would be a standard award for whatever the loss is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

All right. Let me address the amendment. Ladies and gentlemen, the problem with this amendment is that you are trying to use a...a booklet...to determine items that go beyond a simple chart. When you are dealing with disability or loss of use of part of your body, there are elements that

go beyond...go beyond the standards set forth in the orthopedic's...Orthopedic Surgeon's Manual. That is fine as a starting point but there is also the subject of complaints and the reactions of each individual which are presently taken into consideration by the doctors that examine these claimants both on behalf of the employer and on behalf of the...claimant, the employee. The problem with this amendment is that this manual is required to be the standard used, that's exclusive type of language and that is backed up further by the following language in this amendment. "Any determination of disability, disablement or loss of use must be based upon object of findings that are not within the physical or mental control of the employee." Now, ladies and gentlemen, all of us have experienced injuries or trauma in which, depending upon your personal reactions, some of us can handle some kinds of injuries and walk away and others can have substantial disabilities arising from the same kind of injury. I would suggest to you that you are dehumanizing the entire process by trying to adopt this kind of an amendment. I would also point out to you that the whole question of disability is determined in an adversarial process which is set up under the Industrial Commission where there is an attorney representing the employer and a physician that has evaluated the employee by the...on behalf of the employer, and the claimant has an attorney and a doctor that has evaluated that disability by...on his behalf. They are subject to cross-examination. The question of what standards are used, whether this manual was, in fact, used are all brought out and can be brought out in the process to determine the degree of disability. You'd be doing a grave injustice to every employee if you're going to try to relegate them with human feelings, human frailties, the difference between you and me and the next person as to our responses to different types of injuries by saying that a booklet...that a booklet is the

only basis upon which a person's disability can be evaluated. That's not the way the system works, that's not the way you and I work. And I would strongly urge that you not try to relegate your constituents or claimants to the question of what's on a chart. People don't operate that way. I urge a No vote on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LENKE:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR LENKE:

...does this amendment mandate the arbitrator to use this book?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel.

SENATOR KARPIEL:

Yes, I think I just answered that. We're hoping it doesn't even go to an arbitrator, that's the idea. We're hoping that the employee can go to his or her doctor and...based on this book would find out what the award would be for this...we're talking about permanent partial. We're not talking about temporary partial, we're not talking about, you know, all kinds of other things. We're only talking about the permanent partial. If you lose a finger and I lose a finger, we should get the same award.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LENKE:

Are you aware that eighty to ninety percent of all injured employees still go to the company doctor for treatment...when they're injured? Are you aware of that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel.

SENATOR KARPIEL:

No, I'm not aware of that statistic but they have the right to go wherever they want to go.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LEMKE:

Are you aware that no two orthopedic specialists agree?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel.

SENATOR KARPIEL:

They would if they had to use this book with the standards.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LEMKE:

In other words, we're saying to the trier of fact or the judge that you must do this, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel.

SENATOR KARPIEL:

What we're saying, Senator, is that if this book...if the...the standards that were put in place in this particular document were put into place, that an employee would not have to litigate. That employee would not have to be before a court or the arbitrators or anyone else if they chose not to. And, frankly, I think a lot of employees would be much better off and would be glad to just settle right away.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LEMKE:

It's...it's very simple then. If we're going to use this standard and we don't want the employee to litigate then we should follow the Missouri system. Once you're injured at

work, your claim can...stays open constantly and there's no settlement, you just get compensation and you get permanency. So we follow the Missouri standard and we have the claims constantly open for the entire life of this man. Fine, that's okay. If companies want to do that, they can do that now. They can...they can give the guy the money and not settle the case. They can...they don't have to settle the case, they just have to be fair to these employees, not trying to stick it to them...not trying to stick it to them. What this bill...tell me where it's going to cut the insurance premium of the employer? Where is this bill going to cut the insurance premium of the employer? Do you know that they're going to pay more claims?...this is mandating it. Right now some employer has paid his employees less and they never file their claims. We're going to say on every comp. case, every man that's injured, he's entitled to certain amount of compensation. Maybe that would be a good idea if you...you intend that. But this bill is not good, not for the employer or not for the employee. It is a bad bill, and I'll tell you right now, when this bill...if this bill ever passes and it goes to the Supreme Court of Illinois, it will follow the decisions of the Supreme Courts which says, you can't mandate a trier of facts as to what he's supposed to do, he has that discretion. That we still have in this country as a constitutional right of the judiciary and of the person that goes before that, and I think this is a bad amendment and I ask for its defeat.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I rise in reluctant support, because I happen to agree with Senator Lemke that this will probably cost the employers more money. But if anybody heard Senator Lemke's argument, he probably gave the strongest argument for this

amendment that anybody could give. He claims that some people are not being treated fairly, because, in fact, the extent of their injuries are not either being diagnosed properly or when, in fact, those injuries are known, they're not being compensated properly, that the...that the plaintiff is not, when he goes before the commission, perhaps capable of explaining these things; and all this amendment simply says is that there will be a body that determines the extent of that disability and if you read Chapter 8...or Section 8, which is fairly extensive, it provides for a payment of schedule based on disabilities. And I would think that Senator Lemke would be supporting this rather than opposing it because it brings uniformity which brings fairness, which gives the injured worker the necessary and adequate compensation for his injury.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not...Senator Demuzio.

SENATOR DEMUZIO:

Well, I...yes, I'd like to ask the sponsor a question, if I may.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates...she indicates she'll yield.

SENATOR DEMUZIO:

It seems to me that Senator DeAngelis and other members last year pounded out a compromise with labor and...and business groups in...in Illinois, and I was...under the understanding that there wasn't going to be anything that was going to take place in this Session that...perhaps I'm...I'm wrong and perhaps maybe someone can straighten me out on that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Who are you directing that to, Senator?

SENATOR DEMUZIO:

Senator Karpziel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel.

SENATOR KARPIEL:

Well, Senator, I'm not aware of that. I was obviously not a part of that...compromise or negotiations.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, if I may then, let me...address...a comment perhaps and use Senator DeAngelis' name in debate, perhaps he might want to get up and make some kind of statement. It seems to me that there was a...an agreement that was struck last year that indicated that the concessions that were made on both sides that that was it for the Session, that there wouldn't be anything this year and...seems to me that if that's the agreement, that we ought to be standing by that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Along the lines that Senator Demuzio talked about, I would think that Senator DeAngelis would at least partially agree. We worked long and hard to put something together last year that amounted to about a forty million dollar saving for employers in premiums and...and I don't think hurt the working man's right of recovery. We thought it was a...a good package, it was not...jumped on by either side; however, it was our understanding with all the effort that was put in there that we pretty well put workmen's compensation to rest here in...Illinois at least for a year or two. Now, Senator Karpziel, you're not a party to that, I understand that, but that was generally the feeling on both business and labor that let's do it last year and...and labor and management were not that happy with it when we got done, but I thought it was a pretty good deal and I...I think we ought to be

leaving this area alone, at least for this Session.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR KARPIEL:

Well, first of all, I'd like to set the record straight on a few things. I never ever in committee, was never even asked of me, if this was going to be a vehicle or not. The original bill was not a shell...a shell bill or a vehicle bill, it had to do with disfigurement. I just preferred and think that this is a much more important issue than disfigurement, and since that was the bill I got out, I just, you know, thought I'd use it as a vehicle but it was not intended to be when I got it in committee. Frankly, I never thought I'd get it out of committee. Secondly, as far as any kind of a negotiations between the business and labor last year and making arrangements on workers' comp., I think individual members still have the right to...to introduce legislation in this Assembly, and I happen to feel very strongly that this is an important piece of legislation. As far as the dehumanizing that...one of the Senators...one of the speakers mentioned before, dehumanizing the system, I can't think of anything more dehumanizing than a...than a laborer who is injured at work, as a constituent of mine was, and I'm sure we all have horror stories we can tell, that has been waiting seven years to get a settlement. He has been back and forth to the Industrial Commission, they have lost his papers, his attorney has delayed and delayed, it has gone on and on and on and it's seven years later, he still does not have a settlement, and now his attorney is talking about maybe settling out of court. I think employees that are hurt...we're talking about permanent partial, we're not talking about all the other ramifications, I think that that employee has a right to have a settlement soon and not wait

seven years worrying and wondering what's going on, going downtown, being before the commission, having things delayed. I don't think that's human, to tell you the truth, and so I don't think this is at all dehumanizing. Monday, in Crane's...Chicago Business, maybe some of you saw the article. And I just want to read one sentence from the article and it says, "The lawyers, not the injured workers, are the only ones who benefit from Illinois' adversarial system of settling compensation for injuries incurred in the work place." When workers' comp. was first initiated it was not to be an...adversarial system, it was to be self-executing with a minimum of litigation. It has gotten terribly out of bounds. The Industrial Commission is backed up years and years, I don't know how many arbitrators we could give them to ever get the thing cleared up, and I think this is a good bill, I ask for your support...or this Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel moves the adoption of Amendment No. 1 to Senate Bill 949. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. A roll call has been requested. Those in favor of adopting Amendment No. 1 to Senate Bill 949 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? You're on, Senator Jones. Take the record. On that question, the Ayes are 27, the Nays are 31. The amendment having failed to receive a majority vote is declared lost. For what purpose does Senator Karpziel arise?

SENATOR KARPIEL:

Verify the negative.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A verification of...has been requested. Will the members please be in their seats. And will the Secretary please verify the negative roll call.

SECRETARY:

The following voted in the affirmative...or negative, I'm sorry; Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lenke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Rupp, Sangmeister, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any question of the negative roll call? Senator Karpziel.

SENATOR KARPIEL:

Senator Dawson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson is...

SENATOR KARPIEL:

I see him.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...in the back.

SENATOR KARPIEL:

Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco on the floor? Senator D'Arco. Strike his name.

SENATOR KARPIEL:

Senator Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones. Senator Jones is on the Republican side.

SENATOR KARPIEL:

Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Joyce.

SENATOR KARPIEL:

Jeremiah.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Jeremiah Joyce. In the back.

SENATOR KARPIEL:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz on the Floor? Senator Marovitz. Senator Marovitz has just returned.

SENATOR KARPIEL:

Senator Chew.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Chew on the Floor?

SENATOR KARPIEL:

One of these days you're going to vote for one of my bills and we'll do it. That's all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On a verified roll call, the Ayes are 27, the Nays are 30, none voting Present. Amendment No. 1 having failed to receive a majority is declared lost. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1153, Senator Barkhausen. Senator...DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Well, just a point of personal privilege. I did not want to enter the debate any further, but for those gentlemen who thought that...those agreements didn't mean the introduction of other...any other bills, they ought to check the Digest and find out about fifteen bills were introduced on workers' comp. including one by a person who spoke in opposition to that amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen on 1153. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 2, by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 2 is an agreed amendment being offered at the suggestion of the municipal league. This bill deals with joint water action agencies and it's to make it clear that the authorization for general obligation bonding contemplated by this bill is limited to joint water action agencies dealing with Lake Michigan water, and it also adds a technical amendment to make it clear that a municipality within a mile of...of any party to one of these agreements which is attempting to sell water directly as a retailer rather than indirectly as a wholesaler to its residents would have to obtain the approval of such municipality. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 2 to Senate Bill 1153. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1160, Senator Welch. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What Amendment No. 1 does is in response to the request of I believe it was Kroger Grocery Company was change the number of days before milk has to be

removed from the shelf from ten to fourteen days. And I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, what's the magic...dating now, we're going from ten days to fourteen days, you know, what point is milk good and what point is it not good, and my dairy wants to...wants...has a question as to why we're doing this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, Senator Demuzio, basically, ten days it was felt was not adequate time for grocery stores to have milk on their shelves or for the milk producers to both produce the milk, get it to the store, and have a date on the milk to get it off the shelf. The fourteen day..out-time for the milk to be removed from the shelf was felt to be a reasonable and, in fact, I think more than reasonable compromise to have the store take the milk off of the shelf or warn a consumer that they shouldn't purchase the milk. So fourteen days is a more lenient industry-oriented amendment as far as the date goes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, it's my understanding they already do this on a voluntary basis and that there are only two dairies in Illinois that are not and those...those are both by bottle. How would you put a date on the bottle?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Senator, I thought this amendment would take care of that problem. I've spoken with Senators Dunn and Watson and I

promised them an amendment to do that. The amendment will put the date on the cap of the bottle, not on the bottle itself, but that amendment apparently has not arrived so I'm...I'm going to have to deal with that in the next two days.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, do not the dairies already on a voluntary basis already put the dates on the carton and...and I know that they...if you'll answer that question, and also would you answer the question as to whether or not...what's the time frame now that they're doing it on a voluntary basis?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, Senator,...I don't know if you've ever worked in a grocery store, but, yes, some companies do put dates on these milk cartons, but they're...illegible and unless you've worked in a grocery store, you don't know. They're not normal dates, they put on five numbers on the carton and unless you know the code, which is usually the third and fifth number, you can't tell what date to take the milk off the shelf. So compliance may be within each companys' own expertise, not for consumer use. So what this does is it's oriented so that the consumer can tell when the milk should be off the shelf as well as people who work for the grocery store who do not...do not know how to read the code. In addition, if you went downstairs today and purchased some milk in the cafeteria, you would find there would be no date on that milk as well. So the voluntary compliance issue I think is a bogus one. Some do comply, they're mainly in the Chicago area, but the downstate merchants do not have the benefit nor do...do the consumers of those dates being on the milk.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well...well, at what point in your judgment is the milk no longer fit for human consumption, is it two weeks?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Senator, some milk is not fit for human consumption when it leaves the cow, I would imagine. I would say that two weeks is the date that...within which the milk should be removed. If it's properly handled by the store, it should be removed by the fourteenth day, then it is no longer suitable for...for purchase...for...we're talking about...not talking about consumption, Senator Demuzio, we're talking about purchase from the store. So you can buy the milk on the fourteenth day...if you want to keep it in your refrigerator for ten days or fourteen days and drink it, that's up to you. This bill does...does not affect that all. It's just that the sale of the milk has to be before that fourteenth day.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, what happens after the fourteenth day, does it go back to the dairy to become milk powder?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

I don't know what the dairies do with old milk, I...I really don't. Whatever they do with old milk, I guess they...they do. They take it off the shelves, that's all I know.

PRESIDING OFFICER: (SENATOR SAVICKAS)

While we have a minute here we want to recognize our

former colleague, Senator McMillan, who's...advising Senator Kustra on his vote. Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. Will the sponsor yield? I heard my name mentioned and I'd like to ask a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR DUNN:

...Senator Welch, I didn't get in on all of your discussion with Senator Demuzio. Does this have to do with the dating of the bottles as well as cartons?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Yes, it does, Senator Dunn. What happened was, I had promised you and Senator Watson I would have an amendment to require the date be on the cap for those industries that use bottled milk. And what happened was, I thought I had the amendment but when I filed it, it was an amendment just changing the date. So, I'm going to try to hold the bill hoping that I get the amendment in time for Friday.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I would like to recommend to Senator Welch that occasionally on the milk issue he look at the udder side.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes. Senator Welch, I also have a huge dairy in my district and they're concerned about the dating on the bottle, and would you include me in...in reference to that amendment that you have...that you're going to try to move to have the

dating on the bottles on the cap? Is that feasible, can it be done?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Yes, there would be a space either on the side or the top of the cap that a printing machine could print on a date and that would be affixed to the bottle in the normal fashion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, it would be a date and not a code?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Yes, it would be a date legible to a average consumer as far as month and date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

And just for reaffirmation, you're talking about two weeks on that date?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Yes, the amendment goes from the ten days currently in the bill to two weeks to be off the shelf of the store.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

And we will have copies of that amendment, right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

AB 1321
Revised

I sure hope so, because I'm still waiting to get it.

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch has moved the adoption of Amendment No. 1 to Senate Bill 1160. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1321, Senator Marovitz. Senator Marovitz on the Floor? On the Order of Senate...all right. All right. On the Order of Senate Bills 2nd Reading is Senate Bill 1321, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is the only amendment, is that correct, Mr. Secretary?

SECRETARY:

Right.

SENATOR MAROVITZ:

Amendment No. 1 to Senate Bill 1321 creates a demonstration project for a hundred and fifty schools in Chicago and an option for fifty downstate schools. It totally deletes the funding section, so there's no funding whatsoever in this bill. Changes the effective date to January 1st, 1986, it eliminates any provision releasing children from school for planning sessions for the teachers, it eliminates that totally so children will not be released from school and it...adds some clean-up language. I would ask for the adop-

*SB 1352
Recalled*

tion of Amendment No. 1 to Senate Bill 1321.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion?...Senator Marovitz has moved the...adoption of Amendment No. 1 to Senate Bill 1321. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No.1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1346, Senator Welch. Senator Welch. 1352, Senator Dawson. On the Order of Senate Bills 2nd Reading is...Senate Bill 1352, Mr. Secretary, read the bill.

END OF REEL

6

REEL #2

SECRETARY:

Amendment No. 1 offered by Senator Coffey.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. This is a very simple amendment. Actually what it does, it cracks some wording in this piece of legislation and it adds day-care centers to the bill. Our concern was that this bill would affect even a person that might have one or two children in their home and...and by adding day-care centers and...and what day-care centers are clarified as, this would make this bill a...a better bill. So, I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Dawson.

SENATOR DAWSON:

I also ask for the adoption of this amendment, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Coffey has moved the adoption of Amendment No. 1 to Senate Bill 1352. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1404, Senator Collins. On the Order of Senate Bills 2nd Reading is Senate Bill 1404, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 4 to 1404 is...is simply a technical clean-up amendment to...to correct some misspelled words and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Hudson.

SENATOR HUDSON:

What Senator Collins has said is absolutely correct. This is a clean-up amendment and I'm happy...occasionally, you see we do get together and would urge support of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins has moved the adoption of Amendment No. 4 to Senate Bill 1404. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1408, Senator Collins. On the Order of Senate Bills 2nd Reading is Senate Bill 1408. Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 3 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 3 to Senate Bill 1408 is also a technical clean-up...amendment to correct some misspelled words in

SB 171
Recalled

Enrolling and Engrossing, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator...any discussion? Senator Collins has moved the adoption of Amendment No. 3 to Senate Bill 1408. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, with leave of the Body, Senator Netsch is now on the Floor. We'll return to the Order of...of Recalls, Senate Bill 171. When we left, 171 was on the Order of 2nd Reading, we had adopted...we adopted Amendment No. 2. Mr. Secretary,...we have adopted Amendment No. 2.

SECRETARY:

Amendment No. 3 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank...thank you. Amendment No. 3, as I think I had started to explain, eliminates Section 8 which required that Inaugural Committees be subject to various reporting and restriction provisions. The Governor had objected to that in his Veto Message and I concede it is not a critical part of the pattern, so I'm eliminating any coverage of the Act with respect to Inaugural Committees. I would move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. We have had a chance to look over all of Senator...Netsch's amendments and...rather than

take the time of the Body when we have so much to do on the Calendar, I'm just going to rise at this time and say that, you know, I'm not going to oppose these amendments. I think the sponsor has a right to get the bill in the order in which she wants it, particularly in view of the fact that we believe that these amendments make a bad bill better. So, with that in mind, I think the Senator can just go ahead and explain all of the rest of her amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch. Senator Netsch moves the adoption of Amendment No. 3 to Senate Bill 171. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 4 deals with the...what is most commonly referred to as expenses of exploratory committees, that is expenses that are incurred by a candidate before that candidate becomes truly a candidate. The...it was suggested to us by some of the election people that that was a little bit fuzzy and so we have provided that the various restrictions in reporting requirements do not begin to become effective until the date on which the candidate or candidates file their petitions with the State Board of Elections. I think it makes it clearer than the time period from which the restrictions apply. I would move the adoption of Amendment No. 4 to Senate Bill 171.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Netsch has moved the adoption of Amendment No. 4 to Senate Bill 171. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it.

Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Amendment No. 5, by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 5 is...is really quite important and I would particularly, at least when we get to 3rd reading, call the attention of Senator Geo-Karis and others to it. A...an objection that some people have made to the partial public financing campaign bill is that if there were not adequate funds in the Trust Fund in the State...that the State creates for matching, that we would then dip into the General Revenue Fund to make up any deficit and some people have said that they thought that was not appropriate. Although I have no objection to it, I am convinced that the system will work well enough that I am proposing an amendment that would prohibit that and say, in effect, if there is not adequate money in the Gubernatorial Campaign Fund in the State Treasury at the time that the matching funds are to be paid out that whatever is there will be prorated equitably among all of the candidates, so there is no possible use of general revenue funds when this amendment is adopted. I would move the adoption of Amendment No. 5 to Senate Bill 171.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Hearing none, the...question is, Senator Netsch has moved the adoption of Amendment No. 5 to Senate Bill 171. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. We will now proceed to Senate bills 2nd reading. Leave of the...of the Body, we'll go to that order of business. Leave is granted. On the Order of Senate Bills 2nd Reading...Senator D'Arco on the Floor? Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

On 3rd reading, I had filed an amendment and I've...for some reason it didn't get on the list. That's Senate Bill 1029.

PRESIDING OFFICER: (SENATOR DEMUZIO)

There are several of those that the Secretary has and I am informed by the President that we will put those on the Order of Recall for tomorrow.

SENATOR LEMKE:

That means, the bill...if the bill is called tomorrow in that series, we'll probably be ten hundred where the bill won't be able to be called because we have amendment put on it that day under our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke, I would suggest to you that you talk with the President. By the time we get there, perhaps you could have it resolved. Senator D'Arco on the Floor? All right, Senate Bill 368, Senator Jerome Joyce. Page 2. 368. 380, Senator Kustra. Senator Kustra on the Floor? All right, Senator Rock has sought leave of the Body to get back to Senate Bill 525. Is leave granted? Leave is granted. Senate Bill 624, Senator DeAngelis. Senator DeAngelis, do you wish to have that bill called on 2nd reading? 624? Senator DeAngelis.

SENATOR DeANGELIS:

I would like to have the bill Tabled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis moves to Table Senate Bill 624. Those in favor signify by saying Aye. Opposed Nay. The Ayes have

it. The motion is carried...Senate Bill 624 is Tabled. 722, Senator Berman. Senator Berman on the Floor? Senator Kustra. Top of page 3 is Senate Bill 794, Senator Etheredge. Senator Etheredge on the Floor? 848, Senator Dudycz. Senator Dudycz on the Floor?...987, Senator Jerome Joyce. Senator Joyce on the Floor? 1031 is a hold. 1161, Senator Welch. 1222, Senator Jones. 1308, Senator Philip. 1308, middle of page 3. Do you wish to have that bill called? You wish to have it called? On the Order of Senate Bills 2nd Reading, Senate Bill 1308, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1308.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Believe it or not, it's an agreed amendment. Senator Lechowicz and I are the cosponsors. It's agreed by the cable TV, the railroad, the public utilities and, basically, what it does, it allows the public utilities and the cable TV and the railroads to negotiate when they...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator...Senator...Senator Philip...Senator Philip, may I interrupt you for a moment. There is a committee amendment that needs to be adopted. Are...are you talking on the committee amendment? Senator Philip.

SENATOR PHILIP:

Yeah, excuse me, I...I move the adoption of Committee...Committee Amendment No. 1. It's merely a technical amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Philip has moved the adoption of Committee Amendment No. 1 to Senate Bill 1308. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Philip and Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Yeah, thank you, Mr. President. Once again, everybody involved has agreed to this amendment. Basically, what it'll let happen, it allows cable TV to negotiate with public utilities and railroads in regards to using their right of way. If they cannot come to an agreement, they would end up before the Illinois Commerce Commission. Also forces them to post notice where they're going to put the lines, et cetera, et cetera. As I say, it's agreed to by everybody involved. Be happy to answer any questions. Move the adoption of Floor Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Philip has moved the adoption of Amendment No. 2 to Senate Bill 1308. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1358. 1389, Senator Sangmeister. On the Order of Senate Bills 2nd Reading is Senate Bill 1389. Mr.

SB 1389
2nd Reading

Secretary, read the bill. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I'd like to introduce to the Senate the current events class, which is the new name for government class...when I was in high school, from the Hillsboro High School, all seniors and who will all be voting public members...have reached the age eighteen by the election in 1986 and their teacher, Sandra Allen, from Hillsboro.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Our guests in the gallery please rise. Welcome to Springfield. 1389, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1389.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, my Amendment No. 1 to this multicounty grand jury bill, which in its present status, I think, is very loose, provides as follows; that the Attorney General cannot go in to a county to ask for...the convening of a grand jury unless he first requests the State's attorney in that county where

the...Statewide grand jury is...is to be convened to investigate and...present evidence to a grand jury, and if the State's attorney then refuses to do so, a failure by the State's attorney to act within forty-five days upon the request of the Attorney General shall be deemed to be a refusal. I think that this is a good amendment because it certainly tightens up the bill. I don't feel the Attorney General should go into a county and to have a judge convene a...a multicounty grand jury without first finding out whether the State's attorney of that county is willing to do so, and I move for the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, first, I have a parliamentary inquiry. I would ask that the Chair look at this amendment. I don't think it makes sense, so I don't think there's any reason to adopt it because I call the Chair's attention to line 11...call the Chair's attention to line 11 on the amendment, Section 4, which says, "The presiding judge of a Statewide and jury." Now that wording doesn't even make sense and I don't think we should be even getting into the merits of an amendment that is not properly worded.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister, it is not the prerogative of...of the Chair to indicate whether or not amendments make sense or not. It is the ruling of the Chair that...well,...although it may be ungrammatical that it is...it is not technically correct...incorrect in form. So, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the...of the Senate, I move the passage of the...this amendment...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, just...just a moment. We're on...I...I didn't know

you...you were going to have a closing statement here. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, obviously, the Chair doesn't rule as to whether the amendment is in good form or not, but this is an obvious grammatical error in the amendment; and to adopt something that is an obvious error, even to the Chair, I don't think makes a lot of sense, and I think it is the Chair's prerogative to not have this Assembly vote on an amendment that has an obvious error on its face. I don't know if this is the first time we've been faced with this or not, but you tell me how Section 4 of this amendment makes any sense and yet we're asking this Assembly to adopt it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I will be delighted to call upon Senator Geo-Karis for that explanation. Senator Geo-Karis.

SENATOR GEO-KARIS:

The main amendment is...just from line 2 to line 10. If it'll make you feel any better, I would be very happy to amend Section 4 on the face of this amendment where it says, "and jury" and make it "grand jury," GR right in front of the AND, on its face. Certainly that should not invalidate the main amendment and my colleague on the other side knows exactly what I'm talking about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, if she wants to take this amendment out of the record and get it in shape, then that's her prerogative to do that, but...I don't know, is she offering to amend it on the face? What are we doing with this thing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, it seems to me that, Senator Geo-Karis, for the edification of everyone that you ought to take this out of

the record and we can have leave to come back to it in a few minutes. Senator Geo-Karis.

SENATOR GEO-KARIS:

If Mr. Sangmeister will give...we'll take it out of the record and give me leave to bring back my amendment, the correct form, I'll be very...very happy to do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I'm not willing to do that for the simple reason we're at a stage of the proceedings now where it's Wednesday and we're on 2nd readings, and I...you know, I want to move this bill ahead and...there's no way that I can know that we're going to get to this. We finally reached this on 2nd reading and I want to move the bill. I can't help it that her amendment is not in order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr...Mr. President and Ladies and Gentlemen of the Senate, my amendment is in order and his contention is on the last line of the second paragraph which is not the bulk of my amendment, and I would certainly withdraw...if I were in his shoes, I'd certainly bring back...or I would call the bill and bring it back if the tables were turned. I'm rather surprised he won't give me the courtesy of doing that because...it won't take me more than ten, fifteen minutes to get it corrected.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis.

SENATOR GEO-KARIS:

...I can have the correction made within ten minutes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I call that to your attention. I think it's rather ludicrous that we go ahead on amendments that have obvious errors in them, but in response to the merits of this amendment, this is nothing more than an effort to gut the bill is all it amounts to. The bill specifically refers to the fact that there's to be consultation with the State's attorney in his...nobody's trying to go around the State's attorneys. I'd be the last one that would want to do that, but this one puts it in...right back into the complete hands of the State's attorney and takes all authority away from the Attorney General, that's not the theory of the bill, and I urge everyone to vote No on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, in response to the prior speaker, his bill is completely loose about it. My amendment specifically states that if the State's attorney does not act within forty-five days, then that request shall be deemed to be a refusal and that permits the Attorney General to go right in. I move the passage of this amendment because I do not feel we should have a loose multicounty grand jury system, and all this bill...this amendment does is try to tighten it up to make it better.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Geo-Karis has moved the adoption of Amendment No. 1 to Senate Bill 1389. Those in favor signify by saying Aye. Opposed Nay. Opinion of the Chair, the Nays have it. Senator Geo-Karis has requested a roll call. Senator Geo-Karis moves the adoption of Amendment No. 1 to Senate Bill 1389. 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...the Ayes are 30, the Nays are 29, none voting Present. Senate Amendment No. 1 is adopted. Senator Sangmeister.

SENATOR SANGMEISTER:

Verification of the affirmative roll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, there's been a request for a verification of the affirmative roll. Mr. Secretary, will you read the affirmative roll call.

SECRETARY:

The following voted in the affirmative: Bloom, Coffey, Darrow, Davidson, DeAngelis, Donahue, Dudycz, Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hudson, Karpel, Keats, Kustra, Lenke, Macdonald, Mahar, Maitland, Nedza, Philip, Rigney, Rupp, Schaffer, Schuneman, Sommer, Topinka, Watson, Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister, do you question the presence of any of the affirmative? Senator Sangmeister.

SENATOR SANGMEISTER:

Okay. Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue is on the Floor.

SENATOR SANGMEISTER:

All right. Senator Darrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow on the Floor? Senator Darrow. Strike his name.

SENATOR SANGMEISTER:

Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats on the Floor? Senator Keats is right here in front.

SENATOR SANGMEISTER:

Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke is on the Floor.

SENATOR SANGHEISTER:

Senator Coffey.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey. Senator Coffey on the Floor? Senator Coffey on the Floor? Strike his name. All right, Senator Coffey is on the Floor. Restore his name.

SENATOR SANGHEISTER:

Senator Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza on the Floor? Senator Nedza is right behind you.

SENATOR SANGHEISTER:

How about Senator Friedland, is he around?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland is in his seat.

SENATOR SANGHEISTER:

Oh, there he is. Yeah, Weaver is back there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister, do you question the presence of any of the other affirmative members?

SENATOR SANGHEISTER:

How about Senator Kustra?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra on the Floor? Senator Kustra is back on the Republican side.

SENATOR SANGHEISTER:

Okay, that's it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Mr. Secretary, 29 Ayes, 28 Nays, none voting Present...Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, again, we're trying to tighten up this bill. Amendment No. 2 says as follows, "That...the judge who's going to be convening a multicounty grand jury must be...must convene the grand jury in the county in which the alleged offense was committed or in the county directly adjacent to said county." I might tell you then that the...the bill the way it is written now, a judge could convene a multicounty grand jury in Carbondale, Illinois for an offense committed in Chicago. Now that is wrong. I am asking that...you support my amendment which says that if a judge is going to convene a multicounty grand jury, he's got to either convene it in the county where the alleged offense takes place or in a county directly adjacent to such county, and I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis has moved the adoption of Amendment No. 2 to Senate Bill 1389. Any discussion? Those in favor...no discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senators Philip and Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip. Senator Philip. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Geo-Karis will handle that wonderful amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 3 says...adds after the period on line 1 on page 3, "A grand jury may be called and seated in any county having a population of more than one million inhabitants; however, the procedures to be followed must be the same procedures as of...for grand juries in counties having not more than a million inhabitants except as otherwise provided in this Act." Let me tell you, ladies and gentlemen, if you look at the bill on page 3, in line 1...let's see, page 3, let's see...I'm sorry,...start looking at page 2, Section 5...Section 5 in the bill says, "The Statewide grand jury shall be called and shall sit at such times and for such periods and subject to the same procedures as grand juries in counties having not more than one million inhabitants." Well, ladies and gentlemen, by inference and implication this bill excludes Cook County but it penalizes a hundred and one other counties by saying that a Statewide grand jury can be convened in a hundred and one other counties and, therefore, I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis has moved the adoption of Amendment No. 3 to Senate Bill 1389. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1392, Senator D'Arco. 1402, Senator Collins. Senator Collins, 1402? On the Order of Senate Bills 2nd Reading is Senate Bill 1402, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1402 had a 2nd reading on 5-21-85 and Amend-

ment No. 1 was Tabled. Amendment No. 2 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 2 simply changed the administration of the Vocational and Professional Training Enterprise Centers to the...the local...the...the Junior College Board instead of the State Board of Education. It has some clarifying language and some definitions, cleared up some technical errors in the...in the other amendment, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins has moved the adoption of Amendment No. 2 to Senate Bill 1402. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1414, Senator Kustra. On the Order of Senate Bills 2nd Reading is Senate Bill 1414. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1414.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I believe Senator Poshard wants the attention of the Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I would like to Table Amendment No. 1 to that bill...Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Poshard has moved to Table Committee Amendment No. 1 to Senate Bill 1414. Those in favor signify by...Senator...Senator Fawell, there is...there's no discussion on the Table. Perhaps we could ask Senator Poshard to...to...Senator Fawell.

SENATOR FAWELL:

All I wanted to know is, you know, what...what are we Tabling and why?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. We're Tabling Committee Amendment No. 1. It takes Fort Massac, the fort itself, out of the Department of Conservation and puts it into the new Department of Historic Sites and Preservation. We've worked very closely with the Department of Conservation on this issue now. I think it's been resolved and I wish to Table the amendment to leave the fort in the park as it presently exists.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Poshard has moved to Table Amendment No. 1 to Senate Bill 1414. Senator Fawell, there's no discussion on the motion to Table. Those in favor of Tabling Committee Amendment No. 1 indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard, before we...let' me interrupt you. Bob Bay of Channel 5 News has requested permission to shoot videotape from the gallery. Is leave granted? Hearing no objections, leave is granted. Senator Poshard.

SENATOR POSHARD:

...thank you, Mr. President. I wish to withdraw Amendment No. 2. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Poshard seeks leave to withdraw Amendment No. 2. Is leave granted? Leave is granted. Amendment is...No. 2 is withdrawn. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Darrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow. Senator Darrow on the Floor? Senator Darrow on the Floor? All right, with...with leave of the Body, is there leave to have Senator Kustra handle the amendment for Senator Darrow? Is leave granted? Leave is granted. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. This is a technical amendment which has been agreed to by both sides of the aisle and it adds the Postville Courthouse, Governor Horner's State Memorial and Lincoln Trail Homestead State Memorial to the bill. I would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra, there seems to be some confusion, Senator Darrow is not on the Floor. I...why don't we just take this out of the record till we...till..to clear it with him?

SENATOR KUSTRA:

Mr...Mr. President...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

...would it be okay to move it with the condition that I'll recall it if...at such time it's necessary?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, that's...that...that's fine. Well, we can proceed with that.

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1426, Senator Zito. 1428, Senator Sangmeister. On the Order of Senate Bills 2nd Reading, top of page 4, Senate Bill 1428. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1428.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. This amendment amends that section of the Criminal Code pertaining to the aggravating circumstances needed in the death penalty.

SB 1444
2nd Reading

A recent Supreme Court decision, *People versus Lyles*, held that under that section where you can be put to death because of multiple murders that if you committed one of the murders while you were a juvenile under the age of eighteen that that couldn't be considered as a earlier murder to qualify for the death penalty. What this does...what this amendment does is state that whether you were...even though you were under the age of eighteen when you committed the first murder, that it would qualify as the...as the...as a...as a murder in the chain of events, and I ask for a favorable adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Sangmeister has moved the adoption of Amendment No. 1 to Senate Bill 1428. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1444, Senator Jerome Joyce. On the Order of Senate Bills 2nd Reading is Senate Bill 1444, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1444.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

SB 293
2nd Reading

Yes, thank you, Mr. President. There is a Floor amendment but I would...I'm going to move this and bring it back if it's agreeable. It was supposed to be an agreed amendment...that was the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, with leave of the Body, we will...any member that has a bill on 2nd reading that wishes to have it called, now is the time. Senator...we'll go right down the list. Oh, Senator D'Arco on 15...Senate Bill 15.

SENATOR D'ARCO:

Excuse me. Hold 15.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Bill 293.

SENATOR D'ARCO:

Yeah, let's go with Senate Bill 293.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...on the Order of Senate Bills 2nd Reading is Senate Bill 293. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 293.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Amendment No. 1 is an amendment that has been created after long and arduous discussions concerning the...recodification of the Funeral Directors Act. The...we couldn't agree on everything and I think that I

should say from the outset. What we did agree upon...the various groups involved, the cemeterians and the funeral directors and whatever other...factions were involved, what we did agree upon was that anyone, and I want to emphasize this, anyone, that means an individual, a partnership, a corporation, a trust, anyone can own a funeral home. In the original bill, there was a prohibition and the prohibition said that only funeral directors can own and operate a funeral home and that really upset many, many legislators, and we came to the consensus that we should remove the prohibition that said that only funeral directors can own funeral homes and provide in the law that anyone can own a funeral home. That does not mean that anyone can operate or manage or direct the operations of a funeral home. What the bill says is that only a funeral director can operate, manage, direct the operations of a funeral home, and any unlicensed person must work under the supervision of a funeral director. So, we are in a posture now where a businessman can own a funeral home as long as a licensed funeral director is on the premises and is operating that funeral home. The other area of concern, and in this area I must admit there is disagreement between the parties, and this is the area of what kinds of solicitation are to be allowed in this business of funeral directing, and the amendment provides that all kinds of solicitation will be allowed except door-to-door solicitation or telephone solicitation. Now that's where the disagreement arises, because some parties want to be able to pick up the telephone and use a telephone directory and call at random people to solicit business for providing funeral services. We felt that this was not proper in the business because of its unique character and we provided that that type of solicitation should be prohibited. Other than that, all kinds of solicitation are prohibited. Direct mailings are...are not prohibited, offerings through public educa-

tional programs are not prohibited, explaining or discussing funerals are not prohibited. The only prohibition is against door-to-door and telephone solicitation. Ladies and gentlemen, this amendment comes after long discussions with the various parties involved and I must admit to you, I wish we could have...have accommodated everyone concerned, and believe me, we tried our best to do just that; but I think it's a good amendment, it's a compromise amendment, it addresses all of the questions and it's going to be good for the industry as a whole, and I ask for a favorable vote on the adoption of Amendment No. 1 to Senate Bill 293.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? We have Senators Vadalabene, Rupp and Jones. Senator Vadalabene.

SENATOR VADALABENE:

Yes, Senator D'Arco, you didn't mention any prohibition on radio, newspapers or T.V...is that permissive?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Yes, it would be. Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

They would not be prohibited from advertising in...those three news medias?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

No, they would not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes. You also said that anyone could own a funeral home

as long as they were licensed, and I didn't recall you saying a relative or a son or a wife or a daughter, someone within the family. Could...would they be included in being able to own a funeral home?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

No, I...I...that was the original point that we're trying to make that...let's say that the funeral director owns the home and he dies, let's say. So, the question then becomes, can his widow own the home or can his son or daughter own the home if they don't have a funeral director's licenses? And we said, yes, they can own the home. There's no reason why they can't own the home just because they don't have a funeral director's license and they should be able to own the home and this bill says, yes, they can own the home.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes,...those answered the questions that are important in my district and I thank Senator D'Arco for those answers.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. I rise to oppose this amendment and let me tell you why. Senate Bill 293 would not even be on the Calendar today had not we agreed to place this bill out...out of committee and for both parties to sit down and work out their differences. The sponsor agreed that we would sit down with both parties and work out the differences they had as it relates to the funeral home...industry and the cemetery individuals. We did sit down many, many, many hours and we agreed on several points; however, the sponsor of the amendment has chose to

place things in this bill that were not included in the agreement, that were not included with the members of the committee who let this bill out on 2nd reading. The sponsor has included in there that requires licenses to offer funeral services for sale, allows advertising through direct mail or through public educational programs and prohibits unrequested door-to-door or telephone solicitation. These were all items of negotiation. That was the condition for which this bill now appears on 2nd reading. Persons sat down many hours and as chairman of that committee, the bill would not have saw the day of light if the individuals had not agreed to work out the differences, and now we have added in this bill language that was not agreed to by...neither side. He has pre-need language in this bill which was not agreed to. So, I urge both members on both sides of the aisle to vote this amendment down, and those parts of the bill that were agreed to by both parties are contained in Amendment No. 2. That is the only portion that deals with...deals with the agreement between both parties who wanted to sit down and work out their differences, but portions of this amendment was not talked to with the funeral directors, it was not talked with as far as the cemetery folks are concerned. This amendment should be defeated and we should adopt only those portions that both parties agreed to and that would be the bill that we would send to the House. So, I urge you on this side of the aisle and on that side of the aisle to join with me to defeat Amendment No. 1 and we will adopt Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I join the chairman in his opposition to this amendment. I wish we had had a chance to vote on No. 2 before we talked to this one, but the thing that has brought up the problem is the fact...and the best

example that I feel is that if...I could own a cemetery, I could go in and buy a cemetery and if there were an office building on that cemetery, which is normal, then I could rent part of that office out, I have extra space. So, I rent part of it to a funeral director, part of it to a lawyer and part of it to a dentist. Now, that's perfectly all right...perfectly all right, and I don't believe though that if some lady should bring her boy in during the noon hour when the dentist is there...is not there, that I say to her bring him in, I'll take care of him. I am not licensed to drill teeth. Neither would I be licensed to...to handle somebody's request for a will; I might be able to draw it up, but I'm not permitted to do it. Neither would I be permitted to handle a funeral director's job and that basically is what we're trying to do. We've worked diligently on this and we do feel that the agreement that was reached to is in Amendment No. 2 rather than Amendment 1, so I ask for defeat of Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator D'Arco may close.

SENATOR D'ARCO:

Thank you, Mr. President. Let me indicate to you what I think happened in committee. There seems to be some disagreement about that. The one issue, I believe, that everybody agreed on in committee, that the consensus was formed upon, was the issue of who can own a funeral home. There was no such indication that when we passed a bill out of the committee that everybody was going to agree on every point in the bill before the bill would be moved to 3rd reading. No one said that to me and if someone had said that to me, I would have said, no, I want a roll call on the bill as it was presented with the ownership agreement in the amendment. I have a reputation for keeping my word in this

Body, and I have always attempted to do that with each one of my colleagues, and to suggest that I am underhandedly trying to put through an amendment that goes against an agreement is absolutely incorrect and I never have done that and I never will do that. I am told that the Catholic Church has some reservations about this amendment because there is a feeling that priests would not be able to perform bereavements pertaining to funeral services. That is not my...that is not in the bill, number one, and any concern that the Catholic Church has is my concern as well, and whatever they feel must be done to accommodate their concerns, I will do that and I expressed that to the lobbyist from the archdiocese yesterday on the Senate Floor. So, we are at the point, ladies and gentlemen, I think, where we have an amendment that I tried to accommodate everybody's concerns. I think we did a good job in putting it together and there is no reason why we shouldn't vote this amendment and the bill on 3rd reading and send it to the House of Representatives. Ladies and gentlemen, I ask you to adopt Amendment No. 1 to Senate Bill 293.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco moves the adoption of Amendment No. 1 to Senate Bill 293. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. A roll call has been requested...Senator Jones, joined by five others. Those who wish to adopt Amendment No. 1 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take...take the record. On that, the Yeas are 34, the Nays are 9, 2 voting Present. Amendment No. 1 to Senate Bill 293 having received the majority vote is declared adopted. Any further amendments?

SECRETARY:

Amendment No. 2 offered by Senators Jones, Topinka and Rupp.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. These...Amendment No. 2 deals with those portions of this bill that were agreed to by both parties. It will delete the portion as it relate to door-to-door or telephone solicitation. And as I indicated in my remarks to...to Senate...Amendment No. 1 to this bill, it was my understanding and not to impune the integrity of the sponsor of the bill or the sponsor of the amendment because I know he's a person that keeps his word so I'm not to impune his...integrity. However, for him to place in the bill that portion that deals with pre-need which was discussed in committee, which was agreed to by both parties to sit down and work out and both parties never came to a conclusion on that, it indicates to me that this is being placed in the bill in favor of one group against the other, and I say this to each; and every one of you, especially those on this side of the aisle who happen to be in the majority, if you're going to have a committee system and if you're going to let bills out based on...certain conditions, then, in the future, I don't think we should let any bill out of...out of a committee and have that bill changed or so altered where it does not fit with the agreement of the...the understanding of the members of the committee. So, I move for the adoption of Amendment No. 2, and Amendment No. 2 is the amendment that both parties agreed to and is the only amendment that should be on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I will be in agreement with the chairman of the

Insurance Committee and also the previous remarks from the previous amendment for our spokesman, Senator Rupp. We spent many hours on this bill, and this does not in any way impune the sponsor of this bill on the amount of work he put into it, 'cause everybody did, indeed, put those hours in. The last comments that we heard from the parties that were involved was the agreement on, basically, ownership of funeral homes and it was a very well put together agreement. It defined who was involved here, what services they would perform, what their duties would be. Everything after that was struck and no one could agree to; at best, it was just played with, toyed with and left in that direction. I think for the amount of hours that everybody has put into this bill, Amendment No. 2 is what reflects as the outcome of those meetings. Amendment No. 1, at best, went far and beyond those agreements and it...and I find it very troublesome that it goes beyond what was discussed and what was agreed to because it does, in fact, have the...the impact of pushing through something that I don't think people agreed to and it does show a sign of bad faith, and so I would leave it on that point and hope for a positive vote on Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senator Jones indicated that this amendment reflects the agreement that was arrived at between the parties. Well, you know, that's why we're having this disagreement on the Senate Floor because the parties could not agree about a particular provision in this bill regarding telephone solicitation. I mean, that is the nexus of the problem. Now the point is, this amendment would...would undo everything we did in Amendment No. 1. If we adopt this amendment, then the bill becomes totally

unworkable and there really will be no reason to proceed with the bill as presented to this Body in its original form. Ladies and gentlemen, we all worked hard and long on this bill and believe me, we all tried, we really did, to accommodate everybody's concerns. Unfortunately, nobody got a hundred percent of what they were looking for. The funeral directors wanted a provision that said that only they can own funeral homes and I vehemently opposed that provision and said, no, we cannot do that. It's not fair to the other parties' interest in this bill, but we've got...we've to come to some kind of an accommodation at some...at some time and that's what Amendment No. 1 does and that's what Amendment No. 2 tries to undo. Ladies and gentlemen, I oppose Amendment No. 2 and ask your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

One of the arguments in committee centered on...as I recall it, centered on the question of trust funds for funerals that were sold and...by the cemetery people primarily, and the fact that there was no requirement that...or there was not adequate requirement that those funds be trusted. Do you deal with that issue in your amendment? Does Amendment No. 1 deal with that issue and are there differences between the amendments on that issue?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

On that issue, and that was one of the issues that was resolved in the meetings and both amendments deal with issue

on...on the same basis, so that is resolved.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

I...I think that really answers my question. As to who kept what agreement, I'm not sure because the agreement was...was pretty sketchy at best in committee. The...apparently what is being taken away from the cemetery operators by Amendment No. 1 is the right to solicit funerals and the sale of funeral merchandise by telephone, and I have no problem with that, but I think everybody ought to understand that, basically, apparently is the difference here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate...Amendment No. 2 does do something. It resolved the ownership issue as it relate to who could own a funeral home, but what it does...also what the amendment does is...is delete prohibitions against unlicensed persons selling funeral services. Now, the bill with...Amendment No. 1 will automatically be in violation of the FDC. There is no way that you can prohibit individuals from selling you a casket, that is wrong, so the...the employees would go to court and knock it out. Why that is thrown in there by the sponsor, I don't know, but these were the issues that we worked on collectively to...to resolve the issue. The amendment does not undo anything. What it does is...have an agreement...between both parties and resolve the ownership issue. It...it resolved the trust issue as it relates to persons. Also, it resolved the issue as to what can be done by persons who are employed in a funeral home. So, I urge the adoption of Amendment No. 2 to Senate Bill 293.

SB 325
2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones moves the adoption of Amendment No. 2 to Senate Bill 293. Those in favor indicate by saying Aye. Those opposed. The Ayes...the Noes...the Noes prevailed. The amendment is lost. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. No...what's...Senator Jones has indicated that he wishes a roll call. He's joined by five other Senators. On the adoption of Senate...of Amendment No. 2 to Senate Bill 293, those in favor of adopting 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. The Ayes are 13, the Nays are 27, only 1 voting Present. Amendment No. 2 having failed to receive a majority vote is declared lost. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 325, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 325.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any...any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Ladies...and Gentlemen of the Senate, I don't know if you've been reading about the AIDS...AIDS problem in the United States, but it's...it's a very serious problem and it affects not just homosexuals but it affects every segment of our society. Now originally this bill was to appropriate a million dollars to the University of Illinois for research to try to isolate the virus and cure the disease. It's my understanding and I've been told by the Governor's Office that the Federal Government is forwarding a grant of a million dollars to the State of Illinois to conduct research in this area. So, what the amendment does is really codify that procedure into the law so this money will be used for the purposes of curing this horrendous disease. Ladies and gentlemen, I move to adopt Amendment No. 1 to Senate Bill 325.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator D'Arco.

SENATOR D'ARCO:

Senator Marovitz asked what it does, so, I'll...I'll read it for him. "To conduct a public information campaign for physicians, hospitals, public health departments and the general public on AIDS and promote necessary measures to reduce the mortality from AIDS. This shall include but not limited to the establishment of a Statewide hot line." That's what this money will be used for and there's no question that we've got to eradicate this thing before it gets...it affects almost everyone. Thank you. I don't mean it that way, you know...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. This is a very important amendment. It is a...it is a difficult problem. I've talked to the Department of Public Health and Dr.

Turnoc. There is a...about eight hundred thousand dollars coming to us. The money is going to be used for education and counseling. There's an awful lot of suicides that can be prevented if people were just educated as to the problem and to recourses. I...I think this is...is vital. It is a problem that has escalated. Hopefully, we'll find a cure for it soon and I would ask for everybody's support for Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator D'Arco moves the adoption of Amendment No. 1 to Senate Bill 325. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 369, Senator Joyce. Senate Bill...380, Senator Kustra. Senate Bill 381, Kustra. Senate Bill 382, Kustra. Read the bill, Mr Secretary.

END OF REEL

REEL #3

SECRETARY:

(Machine cutoff)...Bill 382.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. This is an effective date amendment. I urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Amendment No. 1 to Senate Bill 382. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Basically, the one thing this amendment does is take the provisions of Senate Bill 380 and 381 and put them in 382. So 382 deals with the whole problem of special education reimbursement. The purpose of the amendment is to reduce the original professional worker reimbursement from eleven thousand dollars to nine thousand

AB 525
2nd Reading

dollars and to reduce the noncertified special education worker reimbursement from four thousand five hundred dollars to three thousand dollars, and I would urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Kustra moves the adoption of Amendment No. 2 to Senate Bill 392. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 525, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 525.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SECRETARY:

It's the one, Senator Bloom, you have A on.

SENATOR BLOOM:

Yes. Thank you, Mr. President and fellow Senators. This bill...the bill in chief is a proposal for regional interstate banking within the midwest. This first amendment I offer does three things. First, it affords those banks outside of the territory of Illinois, Wisconsin, Iowa, Missouri, Kentucky, Indiana and Michigan. It adds Minnesota and Ohio to the midwest region within which interstate banking would

be allowed and I do it for two reasons. One, to make it truly a midwest region and, two, it...I'm informed that Missouri and Iowa are not going to change their public policy to allow any kind of reciprocal interstate banking. Second thing is...in this amendment is to afford those banks outside of the region in two years who wish to get into national interstate banking, to both buy and sell, they could do that within the County of Cook. I'm informed that there is no particular interest in acquiring or being acquired by banks in communities outside of the Cook County area. And the third portion of this amendment basically says to those banks who wish to purchase banks in our State, if you're coming into our State, when you apply to acquire an Illinois bank or bank holding company, you must tell how the transaction will bring net new funds to Illinois, and sets out in the application that those banks who wish to do business in our State...they'll discuss their capital investments, loan policies. They'll specifically address steps that they will take to meet the credit needs of individuals and small businesses in the communities affected by the transaction and they'll update it for each year. Those are the three elements of this first amendment. I'll try and answer any questions; otherwise, I'd seek your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 525 as introduced, and I will subsequently have two additional amendments, provides for regional interstate banking. It is admittedly a small step but nonetheless I think a very progressive step. I rise in opposition to Senator Bloom's amendment. We have discussed this at some great length. Senator Bloom's amendment would provide for, after a period of time, wide-open interstate. This

would afford, for instance, the banks in New York to acquire banks in Illinois. I just don't think we're ready for this. There is an interstate...wide-open interstate bill pending in the House which I understand will not meet with any favorable approval. I think it's absolutely essential for the economy of this State that we, along with our contiguous neighbors...and that's another objection I have to this bill, Senator Bloom would include Minnesota and Ohio. I don't know for instance why we would want to get involved with Ohio in any event, but they are certainly not contiguous states and I think for that reason that they should not be included, and that's another reason to oppose Amendment No. 1, and to limit any interstate to Cook County only, in my view...there is no reciprocity there really for banks outside of Cook County vis-a-vis the rest of the world. I don't know why we're trying to do that but, in any event, I think Senate Bill 525 is extremely important. This amendment will serve not to help it but to hurt it, and for that reason, I oppose Amendment No. 1 and ask that it be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR BLOOM:

Well, very briefly, in response I would...I would say that this amendment affords the opportunity for those banks outside of the midwest region to at least engage in reciprocal interstate banking. Remember, the bill in chief says, you can't come into our State unless we can come into your state within the most populous county in the...State, and the second point I would make would be that it seems if we are going to go to regional banking, we should truly have a midwest region. For that reason, I...I'd urge support and seek a favorable roll call. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom moves the adoption of Amendment No. 1 to Senate Bill 525. Those in favor indicate by saying Aye. Those opposed. The Nays...the Nays carry. The amendment is defeated. Are there further amendments?

SECRETARY:

Amendment No. 2, by Senator Bloom.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

All right. Thank you, very much, Mr. President and fellow Senators. Now this amendment, and I think that it's an important amendment, is the portion that says, if a bank is going to come into our State, if they want to do business in Illinois, if they're going to come into our communities that they must file with their application when they want to take over bank holding companies or banks in...Illinois based banks and banks' holding...holding companies, they must with their application say how they...this transaction...how they're taking over our banks will bring net new funds into Illinois. I believe that it is important for our communities to be included in this process, and the application tells these banks from outside our State, if you're coming into our State, by gum, you better tell us your loan policies, your general plan of business, how you are going to meet the credit needs of individuals and small businesses in the communities affected by the transaction and that you update this on an annual basis. I think that this amendment is very important to this piece of legislation and I'd seek support. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. On this particular amendment when Senator Rock and I originally discussed it, we had no

trouble with the philosophy, in fact, were at one time considering accepting it. From a practical point of view, the amendment does not work that well. Senator Rock will shortly be offering an amendment that probably is much easier to deal with and specifically deals with the Community Reinvestment Act of 1977 and the provisions...within it. I have no philosophic differences with Senator Bloom's amendment. I think practically the amendment that Senator Rock will have in a couple of minutes is probably more workable though.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise, again, in opposition to Amendment No. 2 and I am not opposed to the philosophy expressed in the amendment only to its form. I will shortly offer Amendment No. 3 which in fact calls on the applicant to provide adequate and appropriate services including services contemplated by the Federal Community Reinvestment Act of 1977. I suggested to Senator Bloom, in my judgment, Amendment No. 3 will accomplish the purpose he seeks to accomplish but does it, frankly, in a better way. Amendment No. 2, I simply oppose it and I think Amendment No. 3 will cover what he intends to cover. So I'd ask opposition to Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR BLOOM:

Well, thank you, very much, Mr. President and fellow Senators. If you could listen a little bit, you will notice that both of the prior speakers who oppose the amendment did not tell you in what way it did not work. I have discussed this with the representatives of the Illinois Banking Association and, quite, frankly, they have said this. When I said,

well, how doesn't it work, what's the problem? Well, it turns out maybe communities would be involved a little too much. They don't like the idea of annually filing this kind of information on how they are going to meet the credit needs of individuals and small businesses in the communities. They don't like the idea of having our...the State agency responsible for their regulation to tell them the manner and form in which they file. They just don't want to...they don't want to provide the information in this form, and...into my judgment, there is no good reason why they cannot, it is not onerous upon them and it certainly would involve the communities, your local chambers of commerce, your local business and labor councils in the process; and it seems to me that it makes eminent good sense to adopt this amendment and I would seek a roll call on this particular one. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further...on that question, the adoption of Amendment No. 2...Senate Bill 525, 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? It's going up. Have all voted who wish? Take the record. On that question, the Ayes are 14, the Nays are 42, none voting Present. Amendment No. 2 having failed to receive a majority vote is declared lost. Senator Bloom.

SENATOR BLOOM:

I would point out to the sponsor of this bill, this is...roll call was identical to prejudgment interest.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Amendment No. 3 does essentially what Senator Bloom was trying to accomplish. It says that the applicant indeed has to furnish that kind of information to the commissioner of banks according to the Federal Act. I know of no opposition. I think it's a better, cleaner way of doing things, and I urge the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Yeah, Mr. President, Ladies and Gentlemen of the Senate, on this amendment, again, philosophically it is extremely close to the last amendment but it cuts out an awful lot of pages of paper work, and if you know...if there's one thing the business community gripes about, it's amount of paper work we require. This does the same thing but does it in a couple of hundred pages less.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, Senator Rock moves the adoption of Amendment No. 3 to Senate Bill 525. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 4 is a particularly important one,

particularly important to those of you who represent areas where the banking interest really don't want to get involved in interstate banking. And what Amendment No. 4 says is that the board of directors of an Illinois bank or Illinois bank holding company may adopt an irrevocable resolution before March 1, 1986 to exempt their bank or their holding company until 1988 from any interstate activity. That means they can neither be acquired nor can they acquire if they make this option. I think that should satisfy those bankers, particularly the smaller banks, who have some concern about any interstate activity. I know again of no objection and I would ask the adoption of Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. This particular amendment in reality, I don't think we need the amendment. If you don't want to sell a bank, you don't sell it. I mean, you don't want to change your policies, you don't change it, but some people felt they'd like to see in writing something that I think is awfully obvious. For that reason, we're supporting the amendment, but I'll be candid, I really don't think we need the amendment but at least it does put in writing that if you don't want to have someone buy it, you don't have to go along with it, and so it's a...a technical point that should be added because it will make some people feel good.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is on the adoption of Amendment No. 4. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 722, Senator Berman. Senate

Bill 750, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 750.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1, by Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. The amendment to this...Amendment No. 1 to Senate Bill 750 is a technical amendment. It cleans up some language. It's been requested by the Department of Registration and Education and I would urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Amendment No. 1 to Senate Bill 750. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 752, Senator Kustra. Senate Bill 794, Senator Etheredge. 848, Senator Dudycz...987, Senator Joyce. 1031, Senator Friedland. 1161, Senator Welch. 1222, Senator Jones...Senator Rock. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. For the benefit of the membership, allow me to share with you as we again pass over Senate Bill 1200. Late last night and again early this morning we have been meeting with representatives of the medical society

and the trial lawyers and...the Speaker and Senator Philip and myself and...and Representative Daniels. I think we are very close to a negotiated settlement which will be in the form of a rather lengthy amendment which will encompass, I think, much of what the medical society has proposed and will encompass also what Senate Bill 1200 currently contains. So I would ask you to bear with us, we are all being visited by doctors from our districts. I think you can assure them that we will have in fact a workable solution that will meet the...meet with the satisfaction of the medical society. I will make that representation to you as I now, again, go back to the meeting, but I...I think you're in good shape to suggest to the doctors from your district that we are aware of the problem, and we are making a legitimate effort to solve it and hopefully that solution will present itself later this afternoon.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 1222, Senator Jones. 1358, Senator D'Arco.
Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 1358.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank...thank you, Mr. President. Amendment No. 1 is an attempt to accommodate the independent universities in the State of Illinois. What it says is that proprietary schools can qualify for scholarship awards in the State of Illinois,

but the amount of the awards would be limited to eighteen hundred dollars per individual. Under the present structure, the amount of awards are limited to twenty-nine hundred dollars, so this is substantially less than the present amount of the awards. Also, and I think this is very important, there is a cap on this new fund that is created, and the cap says that they are limited to ten percent of the total amount of money available in the fund which is roughly a hundred and four million dollars. So they would be restricted in the new fund to ten million four hundred dollars, and their awards would be distributed on the basis of that amount of money, the ten million four hundred thousand dollars amount. And fourth, the new fund would be limited to students attending institutions which have been approved by the Board of Higher Ed. and the State Board of Election for the last three years. Ladies and gentlemen, proprietary schools are for-profit schools but let me tell you what they do. They train people to become court reporters, computer programmers, word processors, electronic and auto technicians, welders, interior designers, dental assistants, medical assistants, all of the things that provide jobs for people in our society; and you know what this bill will do, it'll get people off the welfare rolls, because many of the students that go to proprietary schools come from poor families who are on welfare today and this will boost that individual up and put them in the job market where they belong. Ladies and gentlemen, there's no question that in...universities deserve the money that they're getting from the fund. We all agree on that because college education is important in our society. But schools that train people for jobs are also important in our society and we've got to recognize that fact. This is a good bill. It's a compromise bill. It accommodates everybody's concerns and I move for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR BERMAN:

What's the position of the...of the Federation of Independent Colleges on this amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

I honestly...you know, I think...well, let me say this. They were opposed to the original bill which was a carte blanche entry into the fund. I haven't discussed with them this particular bill...I mean, the amendment to this particular bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he would.

SENATOR DUNN:

Senator D'Arco, I think in committee we talked about two or three things. One, that this money was not going to come from the regular scholarship fund, that you were going to have...create another fund. Wasn't that correct? And two, didn't we have the effective date going to be 1988 or some...someplace off from the future till you would have time to work out another fund? If I recall that was what we agreed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well, the...the amount of money in this fund would be appropriated from a separate appropriation provided for this specific purpose. That's in the legislation. I don't remember the effective date being discussed in committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. I...I may be wrong about the effective date, Senator D'Arco, but I thought we talked about a future date so you'd have time to get that...extra fund started. When will the bill be effective the way it's written now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

When signed into law by the Governor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Dunn.

SENATOR DUNN:

Thank you. That's...

PRESIDING OFFICER: (SENATOR SAVICKAS)

UPI seeks permission to take pictures. Is leave granted? Hearing no objection, leave is granted. Senator Etheredge.

SENATOR ETHEREDGE:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR ETHEREDGE:

Senator, I...I have not had the opportunity to...to see this amendment and therefore I want to make sure that I clearly understand what the amendment contains before we...before voting for it. My recollection of the discussion in the Senate Higher Education Committee corresponds with

that of Senator Dunn. There was an understanding that amendment would be...would be developed which would establish a separate fund, and I think the...the presumption was also that the effective date would be delayed in order that...the...the funding for this separate fund could be included in the...in...in the budget. So, I want to make...my first question is, does the...does your amendment establish a separate fund out of which these scholarships would be paid?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

The...the language says, "Funds for such financial assistance shall be available only from a separate appropriation provided for that specific purpose." So, the effect is that there would be a separate...I mean, there's a separate appropriation for that...for that specific purpose only. So the effect is that it would be a separate fund.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

I would...you know, I'm one who has been very sympathetic to the...to the cause that you're championing here, but at the same time, I...I would feel far more comfortable if there were words in this amendment that says that there would be another...a...a separate fund established for this and it's not clear to me from your response that that is...that's going to be the case. I have a second question, however, and that is, which institutions would be eligible for participation in this program? Would this...would the door to be open to any and all proprietary institutions including those that are operated by businesses such as the Macdonald's Corporation for their...for their own purposes? Or...or who would...who would make the determination...if it's not a com-

pletely wide-open door, who makes the decision as to which institutions would be eligible to have their students participate?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

The State Board of Education and the Board of Higher Ed. make that determination. They wouldn't be able to qualify unless they were certified for...the...at least the last three years by both of those boards.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, I just want to point out that the State Board of Education and the Board of Higher Education have entirely different criteria for recognizing this institution. It makes...I would be far more comfortable if it were the Board of Higher Education making these kinds of decisions, because they...they're the ones that have more stringent rules and regulations in regard to...to recognition. I would...I have a third question and that is, where...I think Senator Berman asked the question about the Federation of Independent Colleges and Universities where they stand. I would like to know where...where does the Board of Higher Education stand on this amendment? Are they in favor of it or not?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Let me also indicate to you, Senator Etheredge, that it also provides that such institutions must be accredited by a nationally recognized accrediting agency so designated by the Secretary of the U.S. Department of Education. So that is also a criteria that must be met before a school would be able to be certified. As far as the Board of Higher Ed., I

have not communicated with them concerning this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, Senators. I wonder if the sponsor would yield to a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR NEWHOUSE:

Senator D'Arco, I'm...I'm in sympathy with what you're trying to do and in sympathy with the institutions you're trying...that you...you're representing. However, I think the question...the broad question here that several of my colleagues have been trying to get at is the question of the impact on higher education funds. Now that's a serious one and I think all of us know that at some point or another it is going to impact on higher education's budget. There's no question about that. I think the...that what we need some assurance of is the extent to which that's going to happen and when it's going to happen. I wonder if you, Senator, would be willing to check back with the independent colleges and universities to get some feedback from them, an indication of where they stand and also with the Board of Higher Education to see...see where they stand.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

No...he's not done.

SENATOR NEWHOUSE:

I paused because I wanted to make sure that...that my question was...was heard and understood.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator D'Arco.

SENATOR D'ARCO:

We can do...you know, put the amendment on, move the bill to 3rd and I'll get the information. Let me...let me say this to you, President Rock spoke to the independent college and university this morning and advised them that it is not our intention and this is...it is not my intention that any of the scholarship funds that are presently designated for that purpose go into this separate appropriation. That is not my intention. This is a separate appropriation with general revenue money that will have...that will have to be appropriated for this particular purpose. It will not take away money that is appropriated for the independent universities and colleges. That is not our intention, that's what Senator Rock advised them this morning and that's what I'm advising you today.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

...part of the problem, Senator, is that the amendments that are being offered have not been seen by my staff, even though they requested them, so we...we're not...we're not comfortable with what...with not having seen them, and I wonder if you'd take it out of the record and hold it until we could at least look at the...the amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator D'Arco.

SENATOR D'ARCO:

Well, you know, I explained the amendment. I mean, you know, everything in the amendment I've just indicated to you, and, you know, it...there's nothing secret about it. I mean, it's a very simple amendment. There's nothing in here that...you know,...you...you know, that's new. I mean, it's...it's just something that, you know, we just indicated what it...what was in here that's all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Well,...my only suggestion is that my staff has asked for it and hasn't seen it. We'd like to take a look at it before it's offered, and if you would...if you would give us that courtesy we appreciate it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

You know, no one asked me...none of your staff asked me for the amendment. I didn't...I wasn't approached by any staff person who asked me for the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Yes, I'm informed that my staff has asked for it, Senator. I don't know whether they asked you or your staff or what, but...but we haven't seen it, I'd like to see it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

I don't have any staff. So if they asked anybody, they had to ask me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. I...I think that Senator Newhouse has a good idea..and we in the minority side have not seen the amendment either, and as spokesman on higher education, I'd like to ask that the amendment be distributed if it hasn't been; and if we could, why we would take it out of the record till we've had time to look at it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Yeah,...I'm sorry, Senator Newhouse, I was just informed that your staff did ask somebody concerned about this bill for the amendment, and they did not receive the amendment and...for that reason, I'll take it out of the record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...okay. Now, do you...you want to take the amendment out of the record, Senator D'Arco? Do you want the bill moved to 3rd without any amendments and for recall? Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Well, if we're on a different subject and while there's a lull, I'd like to introduce a class from Perry, Illinois that's visiting the Illinois Senate today, Rick Parker and the class from Perry is sitting in the President's Gallery right behind the...right behind you, Mr. President. I would ask that they rise and be recognized by the Senate. Welcome to Springfield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senator Dunn, for what purpose do you arise?

SENATOR DUNN:

Mr. President, maybe I didn't state it correctly, but I'd like to be joined with some others and ask that the amendment be distributed so we can look at it before...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco indicates that he will do that. Senate Bill 1360, Senator D'Arco. Senate Bill...(Machine cut-off)...Bill 1392, Senator D'Arco. Senator D'Arco.

SENATOR D'ARCO:

Yeah, I would move to Table Senate Bill 1392.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Request by Senator...motion by Senator D'Arco to Table Senate Bill 1392. Is leave...is leave granted? Hearing no

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objections, leave is granted. Senate Bill 1392 will be Tabled. 1399, Senator D'Arco. (Machine cutoff)...Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll go to the Order of Senate Bills 3rd Reading. Leave is granted. We'll begin yesterday where...we'll begin today where we left off yesterday. Begin on Senate bills 3rd reading and the first bill will be Senate Bill 311 on page 7. Senator Davidson is ready. On the Order of Senate Bills 3rd Reading is Senate Bill 311, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 311.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this bill does exactly what it says on the Calendar since Sunset Commission doesn't exist anymore with the repeal of all the commissions last year, and we spent a million and a half on this commission when it was in existence, only got rid of two bills...or two regulatory things in all that time and they made recommendation of four to be repealed and we kept them, I think this is a good idea. I appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Netsch.

SENATOR NETSCH:

If I understand it, Senator Davidson, and I just came back on the Floor, this is the bill that just wipes out all of the sunset law and...and sunset and sunrise. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

This bill does with sunset...the sunrise bill is 312, and if you listened to the amendment I put on 312 yesterday...I'll talk about both of them if I may, Mr. President, at the same time. The amendment I put on 312 yesterday changed that bill, took everything after the title and now makes any proposed new regulation would go before the Legislative Research Unit and make a recommendation to the Legislature whether it be a good or...idea or not. That's dealing with 312. 311 does away with the sunset. All it does is take away all those dates that's in the Statute, and any person that...or Governor who...through the Bureau of the Budget under the old law could ask for investigation of any regulatory body if they so desire. Just wipes out those repeat dates every ten years so we don't go through all this hassle in all the professions and trades, go through all that hassle for nothing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Aren't there still some of the licensed and regulated businesses which are on the schedule for sunset review that I assume under your Senate Bill 311 would no longer be subject to that kind of review?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, the thing would be, Senator Netsch, as you well know, that those professions and trades that are being reviewed right now that was due in '85, those laws will be enacted before...before this becomes effective. There is, I think, five professions that have not yet been reviewed that were due for the '87 Session. They would not be reviewed if

this becomes law and they could be reviewed if the Governor would ask the board...the Bureau of the Budget do it as the present old law did before we created the...the Sunset Commission eight years ago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. You know you've been around here too long when you see one of your children about to die and I'm...I'm torn on that. What we did allegedly reforming the commission structure is that to a degree we might have thrown the baby out with the bath water in that we eliminated the mechanism for achieving sunset reviews. So I understand full well exactly why Senator Davidson is offering this particular bill. We had to complete our review of the '85 regulatory Acts that are up for sunset, and leadership responded by appointing a joint committee, and that's one of the reasons why we spent some time on 1021 yesterday. I'm somewhat torn but if there is no statutory structure by which to achieve the ends...the purported ends of sunset and certainly...those of you who were around here in '79 and '80 remember that this was the...the fate of the western world according to common cause hung on this matter and they've lost interest. So I'm suggesting that at this time...supporting 311 is not necessarily bad policy, 'cause I think it will...I think that the issue will come before us again before the 1st of July. But as long as there's no mechanism for review, what's the point in having these...having these agencies sunset? Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson may close.

SENATOR DAVIDSON:

Appreciate a...favorable vote, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Question is, shall Senate Bill 311 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, 2 voting Present. Senate Bill 311 having received the required constitutional majority is declared passed. 312, Senator Davidson. On the Order of Senate Bills 3rd Reading is Senate Bill 312. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 312.

(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, as I explained earlier to Senator Netsch, I amended this bill yesterday and it...the amendment is the bill and what it does...it says that if there is going to be a request for a new occupation, a new regulation or a new trade or whatever, in a...of regulatory Act that the Legislative Research Unit, which is a unit in place, would have the powers to do this investigation and make a report to the General Assembly and to the Governor on the recommendation as to whether it say good or bad or indifferent. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Welch.

SENATOR WELCH:

Who is now going to have the authority formerly vested in

the regulatory agency for the sunset laws? Did you say the Governor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

No. The Legislative Research Unit, Senator Welch, which is a unit that is in place. We have talked to them and it's something they do and can do, and they would make a report to both the General Assembly and to the Governor as the feasibility of good, bad or indifferent on any new proposed regulation, license or registration Acts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

What...what about old Acts or agencies or licenses? What about the old ones? You said they make recommendations as to new ones, what about the existing ones? Is there going to be a time frame where every agency comes up for review again or not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, Senator Welch, the bill we just passed 55 to nothing did away with the sunset. As you know, last year when we wiped out the commissions, we wiped out the Sunset Commission, so therefore there is no regulatory way to enforce what's in the Statute; and the Statute what had the professions, mine included, would die an automatic death next year, and since there is no regulatory statute way to do that on sunset that's why 311 is the repeal. This is...gave you a mechanism so if someone wants to come in with a new license or a new registration Act, you would have an opportunity under the Legislative Research Unit. They have the time and the talent and the staff to do it and they can make a recom-

mendation to it whether they think it be good, bad or indifferent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Just one clarifying question. I think, perhaps, you have indicated this now, Senator Davidson. On the sunrise, that is this bill, will the Legislative Research Unit have substantially the same powers as existed before with respect to...well, really the Governor's Office and the Sunset Commission to review and recommend on new proposed agencies? In other words, the real question is, are they substantially the same powers?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Yes, they are. It...it says, "To review proposal for new regulations to be imposed on any profession or occupation in accordance with criteria, in Section 3 and 4 of this Act and to make recommendations concerning the need for regulation and the appropriate mode of regulation. Such review shall include public hearings. A report of the recommendation shall be submitted to the General Assembly and to the Governor."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. My son, Sunset, died with Senate Bill 311, but Senate Bill 312 my daughter, Aurora, is still alive. There you could have a mechanism for the front-end review before the legislator...Legislature...ultimately the General Assembly decides what's going to be regulated and what's not going to be regulated and whether we have registration, certification and so

forth. But...because the standards set out in sunrise are pretty clear cut, the Legislative Council or Research Unit as it's now called seemed like a logical place for front-end analysis and then the recommendations could come our way. Thank you, very much. I...I see nothing wrong with this and think we ought to support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson may close.

SENATOR DAVIDSON:

Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 312 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 57, the Nays are none, none voting Present. Senate Bill 312 having received the required constitutional majority is declared passed. 314, Senator Mahar. On the Order of Senate Bills 3rd Reading is Senate Bill 314, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 314.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I think this bill is easily understood by the members. It amends the Compensation Review Act. Although it amends the Act, it...it does...it absolutely does nothing to change the authority mechanism or operation of the Compensation Review Board. In addition, although it amends the Act, this Body may continue to consider pay...pay raise proposals by the Compensation Review

Board in the same manner in which we currently do. The only thing it does is change the time frame, but the Act now states that...that recommendations from the board must come to the General Assembly by May 1st of the election...of the even numbered years or the election years and that we have thirty legislative days to consider that proposal. This bill would allow those thirty days unless it may...we may not go past the November election, the first Tuesday in November.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I rise to support Senator Mahar on Senate Bill 314. This legislation, as...he pointed out, would prevent the so-called lame duck pay raise issues to go through, which is very similar to what passed by this General Assembly at the end of...last year. I...I think it's something its time has come, we should face it during a legislative Session instead of hiding it away at...at a later time. Certainly in May you have a tendency to cut down on future salary increases, but at least we can do it facing people in the face and not doing it behind their backs. I will support this measure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall...Senator Hall.

SENATOR HALL:

Thank you, Mr...Mr. President and Ladies and Gentlemen of the Senate. If you remember, last year, I introduced a pay raise at the beginning of the Session and I did that because I had heard down through the years that we're always doing something here behind closed doors. And I'll tell you this, that I'll soon...I'm going toward twenty years here and there's always excuses. I say that the legislation should be put out in front, you're elected to do that and I...all the excuses I begin to hear, yeah, you introduced it, yeah, it's

out-front, but the point that happens is the biggest complaint about here comes from right on this Floor and in the Houses. The legislators ought to stand up and be counted. Now tell you this is what the public wants and I don't think any of this should be behind closed doors. I don't like to see us hamstringing ourselves, because you're sent here to be able to introduce legislation that's beneficial, and legislation...if you put a time limit on these things. I found out that the public does not realize that the time-consuming things that you do back home about your district office. You know as well as I that the people who come and need to be attended to...the point about it, is this stuff a part-time job? I don't where people get this. This is a full-time job and anybody who's here that doesn't feel it's a full-time job has got no business here, because what you're doing is when you leave here...now I'm not saying people who have other professions should give up the other professions they do that along with this. I believe that you ought to be up-front, that you ought to be honest with yourself and with your constituents. The only problem I have with this is if you start to doing something in lame Sessions. I know this, there's plenty of people sit right here, they vote against it, they go out and talk about it, but when payday comes, they go up and parade up and get those checks. Now, what I'm simply saying here, if we are honest with ourselves and honest each other...there's no reason to be ashamed to say that I...I don't feel we ought to have a pay raise. If you don't feel that you're worth it, then you should not draw the salary. I tell you this that many times in all the years that I've been here that you have not kept in pace. I think it ought to be explained too that many people here...I personally, myself, I don't get the pay raise and never got it. I'm always in the middle of my term or something. I'll go eight years just like many of you sitting here who go eight years there was a

great possibility some would go ten years. With the cost of living and what we give to all these other people around here, I feel that what you ought to do is to stand up, be counted, then you wouldn't have to worry about this lame duck Session. I thought and felt and introduced that legislation because I put it out-front, had everybody plenty of time to look at it and you find that you see all the excuses, and I just wanted to bring that point out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of Senator...Mahar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Netsch.

SENATOR NETSCH:

That's not my name either, Senator DeAngelis. I think perhaps Senator Hall's comments left the impression that this does something more dramatic than it does. All it does is to deal with the time frame upon which the...report of the Compensation Review Board must be voted, and it...in effect requires that it must be voted on before an election and not during a lame duck period. I rise strongly in support of Senate Bill 314. I'm not sure there is any happy way to solve the problem of dealing with our own pay increases, but remember, we also...I...that is, I think whatever we do or whenever we do it, those who choose to make it their tickets to fame will use it that way and we will all be made to look bad somehow. So that is not really the...the point of principal concern. We also have a responsibility to vote for other pay increases that come out of the Compensation Review Board, and we...we take the heat for those but we have a...a really important burden to discharge in terms of seeing that they are done as reasonably and fairly as possible, balancing the taxpayers' interests against the need to have good

people. The real problem is that when we do this, whatever it is, whether it's a direct up-front vote for pay increases or acting on the report of the Compensation Review Board, if we do it after an election during a lame duck period, we look bad and we deserve to look bad. It seems to me that that is the one thing that we absolutely ought not to do to ourselves. I might well have been willing to vote for some of this the last go around if it had not been presented during a lame duck period. So, it seems to me that this eliminates one major obstacle to our discharging our responsibility and is, indeed, a very good idea, and I hope that it will be strongly supported.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Would you delineate for us what you mean by the lame duck part of the Session?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, Senator Mahar.

SENATOR MAHAR:

I didn't use that terminology. This...and I'd like to clarify that point for the General Assembly or the...or the Senate. This bill has nothing to do with ducks, lame or healthy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Mahar may close.

SENATOR MAHAR:

I just ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 314 pass. Those in favor

SB 320
3rd Reading

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 57, the Nays are none, 2 voting Present. Senate Bill 314 having received the required constitutional majority is declared passed. In a few minutes when I'm back at my seat, I will indicate to the Body that I intended to vote in the affirmative had I been at my seat. Senate Bill 320, Senator Luft. On the Order of Senate Bills 3rd Reading is Senate Bill 320. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 320.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 320 was supposed to be on the Agreed Bill List but we got it caught on 2nd reading and didn't make it. What Senate Bill 320 does, empowers the Department of Commerce and Community Affairs to provide grants of up to fifty percent of unemployment workmen's comp. costs for the establishment of new manufacturing facilities or manufacturing operations in the State where at least one hundred people are involved, and that can be awarded to the companies for up to five years. I would try to paint a scenario for you, if you would like, on why I think this is very important; otherwise, ask any questions if there are any.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. I'm

sure that it will be noted that this measure came out of the House Labor and Commerce Committee with substantial support. But I might say to you and call your attention to the fact that the sunshine and balmy breezes that wafted through the Chambers on that particular day have turned somewhat chill in reflection; certainly the support that I gave the bill has, with all due respect to the very fine sponsor and his motivation. It is my understanding that the Illinois Manufacturers Association and the State Chamber which...or who at one time supported the measure have had second thoughts, and many of the rest of us have had second thoughts, and the reasons for these second thoughts is that this measure appears really to open up the...the State Treasury as it seeks to have that treasury pay up to fifty percent of the WC costs that might come up for new businesses as they come into the State. Now, if the workers' compensation costs are too high, and this measure seems to indicate that they...they are too high, the remedy I don't think is to give a break of this sizable porportion to new businesses coming in but is to address the matter in other ways; that is to say, to address the problems of workers' compensation costs in other ways rather than granting a largess out of the State Treasury to new businesses; and, furthermore, it seems to me to argue that if we do this, we are really setting up a...an anti-competitive situation here, and if these costs are too high for a new businesses, and to encourage them to come in we're willing to reduce the cost of them...if they're too high for the new businesses they really are too high for the old-timers that would also like to do business in the State of Illinois at a profit. So the remedy, again, is...is...it's...it seems to many of us, not to go about it in...in this direction but indeed another direction, and I might close by saying that the cost here is...would be considerable. It would be tremendously high and it truly would

open up the State Treasury for payments out that we are not faced with at the moment. So, I would submit to you, colleagues, Ladies and Gentlemen of the Senate, that on reflection, this idea does not seem to be such a good one and is one that I think we should take a long, hard look at in the interest of the overall business climate...in the best interest of the business climate in the State of Illinois. We don't want to drive our established...do anything that's going to put them in an...in an unfair position, disadvantaged and perhaps tend to drive them out as we seek to bring new businesses in. So I would urge a No vote on this measure. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The Chair would like to make this observation. There are three hundred sixty-eight bills on the Calendar today, and at this pace, we will be here beyond Friday. There are five additional speakers on this proposal. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I guess I'm led to believe that our friends on the other side of the aisle have come to the conclusion that in 1974, the increases in workmen's comp. and unemployment compensation were excessive. And, quite frankly, that is the understatement of the year. You did it, your Governor signed it, now you come back ten years later and say, to encourage business to come into Illinois, we'll have DCCA pay fifty percent of your workmen's comp. and your unemployment insurance costs. Well, isn't that a joke. You should have never raised it in the first place. You are the people responsible for chasing business out of Illinois. Who wants to expand in Illinois? Who wants to move to Illinois? One simple reason and we hear it every time we talk to the business community, workmen's comp., unemployment insurance. But here you are

now...now you're going to solve the problem after the horse is out of the barn. Right? If you're a new company and you come to Illinois, we're going to let DCCA pay for half of your insurance. It's a great idea. Where were you ten years ago? We told you so. We ought to defeat this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr...thank you, Mr. President. At the risk of overkill, I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, how much is the appropriation to pay for this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

None.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

That's not going to be enough...you know, if...if we have a contest around here for the most incredible bill of the Session, this has got to be a winner. Every business group in this State that has had anything to say to the Legislature for the past ten years has told us, please reform unemployment compensation, please reform workers' compensation, give us a break. So the answer that's suggested here is, if you'll come into our State and open a business, we'll give you a break but we're going to tax everybody else in the State to pay for what we're going to do for new business. Now, if that's not an incredible solution to a problem that has been highlighted by business for a long, long time, I'll

eat my hat. This is a terrible idea. There's no way that the State could come up with enough money to pay for...establishing new businesses in this State that might want to come into Illinois and compete with existing Illinois business who has to pay the high cost here in Illinois. Bad idea, let's defeat the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luft may close.

SENATOR LUFT:

Thank you, Mr. President. I figured we may have some trouble with this bill because the lack of creativity somewhere in this place has always been amiss. Senator Schuneman, let me first...Schuneman, let me first answer your question. If you had read the bill, there is no appropriation required, because the grant is not awarded until after the company has been in business one year. So if Company X started in June 1 of 1984, they would not even have to make application till...June of...1985 which does not require an appropriation till next fiscal year. Now, there is enough collective guilt to go around probably on workmen's comp. and unemployment comp. in the State of Illinois, and I will be more than happy to take my share. But what I want to tell you over there is, I dare you to vote against this and I'll tell you why. This isn't yesterday. This is today and this is tomorrow, and if in fact workmen's comp. and unemployment comp. is a problem, we are addressing it here, and I'll tell you how; and if those of you that live in my area that are looking at a Chrysler Plant...in Bloomington-Normal that have hopes of a Chrysler Plant, let me tell you, and I hope you listen to me, let me tell you exactly what the cost is. If you paid fifty percent...the full amount on unemployment costs, on a company creating three thousand jobs, it would be one million and...five hundred thousand dollars. One-half of that, obviously, is seven hundred and fifty thousand. If you

pay...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Luft...Senator Philip, Senator Luft is closing...Senator Philip, Senator Luft is closing.

SENATOR PHILIP:

I just...a point of personal privilege. I just wanted to make this observation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point, sir.

SENATOR PHILIP:

Well, obviously, it's an advantage for new companies who move into Illinois...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...Senator...Senator, he...Senator Luft was closing...what...Senator Luft.

SENATOR LUFT:

If you'll be patient, I'll tell you how it benefits the existing companies in the State of Illinois too. We also call for one-half of the workmen's comp. premium paid or one-half of the average workmen's comp. premium paid in the State of Illinois just in case they're self-insurers whichever is the less. That cost also is projected to be a million and a half dollars on a three thousand employee factory or seven hundred and fifty thousand dollars. If you go the maximum, the maximum which...we don't have to go to the maximum. If you go to the maximum on this bill, it's going to be a million and half dollars. Now listen to me, okay? Listen very carefully. Three thousand people working are going to be paying income tax in the State of Illinois. Three thousand people are going to be generating sales tax in Illinois. A major corporation is going to be paying property tax in Illinois and hopefully, just hopefully, there will be corporate taxes to pay. Then if you take the Chamber of Commerce paper that says for every job you create, it creates

3.2 jobs, multiply those three thousand jobs and it turns out to be nine thousand more jobs paying income tax and sales tax. Do you know what kind of money that's going to be? That is a lot of money that is paid into the State from the day they go to work until the end of one year, and then, the company files for their rebate. We get the money up-front. We get the money up-front. Then, we sit here and appropriate tens of millions of dollars for job training and job retraining for what? There aren't any jobs. We just spent a million and a half dollars to put three thousand people to work and get three to four dollars back for every dollar we invested. That makes sense to me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Luft.

SENATOR LUFT:

Now, wait a minute, Mr. President. They asked questions, can I please just finish?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we have always adhered to the time that...under the rules and your time is about up. Senator Luft.

SENATOR LUFT:

The one brief thing on how we're helping the present employers. We now have a...surtax on the unemployment tax in the State of Illinois. If you put three thousand people to work at an...that are now on unemployment, a hundred and thirty-six dollar a week average unemployment check, ten weeks, multiply that, you're taking millions of dollars liability off the unemployment. So all I'm saying in closing, I really dare you to vote No for it, because this bill, nobody came up with one legitimate argument. If this is a problem in the State of Illinois, and I'm not sure it isn't a perceived problem, let's take care of it today and forget yesterday because we can't afford not to. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 320 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 34, the Nays are 25, none voting Present. Senate Bill 320 having received the required constitutional majority is declared passed. 329, Senator Welch. On the Order of Senate Bills 3rd Reading is Senate Bill...329, Mr. Secretary, read the bill.

END OF REEL

REEL #4

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 239.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill is is...it's a program to create fellowships in public administration graduate studies throughout the State of Illinois. The program is modeled after Senate Bill...in Senate Bill 329 is modeled after the Architectural Engineering Internship Program of 1983. Provides internships for those students in the same way as the regional service agency fellowship would for public administration...students. Those being supported by the municipal league which believes that municipalities are in need of student interns to help smaller towns throughout the entire State. This fellowship program will meet the needs of small municipalities and enterprise zones, those with fifty thousand or less population across the State of Illinois. Those areas which could use the expert knowledge of the students and schools of public administration in Illinois universities are going to be able to go into these areas and give expertise advice as well as learn something about the real world. These long-term fellowships will be available to these municipalities and will bring eager interns which otherwise would have no chance of learning about new developments in the field of public administration. Many cities have an acute need and desire to improve their local government with the services of professional city managers

and administers but cannot afford to pay that salary that such a program would command. This program makes that expertise easily available while giving students firsthand experience in their field of study. The universities and municipalities would apply for funding together and submit a proposal outlining the needs of the...the municipality or enterprise zone and the abilities of the university to provide for those needs. The fellowships would last for one year at a time, enabling a student to work with the local government and with his or her professor simultaneously. Very few students work in local government, although some schools do have intern programs. It is my understanding that professors at both Northern Illinois University and Sangamon State University support this measure. Currently, Sangamon State offers programs in State level government administration but has a very, very limited local government internship program. I would be glad to answer any questions, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senator Welch, I...I guess I have a question and it comes in this form. It...testing...thank you, Mr. President and members of the Senate. I have a question, Senator Welch, and it comes in this form. The Board of Higher Education is the central planning agency for higher ed. in the State of Illinois. I don't know of any operational programs they have in...in education in directly administering programs. This is the kind of program...and I have no objection to a university getting involved in fellowships and internships, that's done all the time around the State. What I don't understand is why you chose the BHE to administer the program, and perhaps you can tell us whether or not the Board of Higher Education has any position on your bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Yes, Senator Kustra, the...my understanding is that architectural engineering fellowships are administered through the State Board of...of Higher Education. I don't know what the State Board's position is on this bill. As I've often said, I think that we are the masters of our own destiny and it should be up to us to tell the Board of Higher Ed. what we want them to do. I think this is a good idea. We should tell them to do it and not wait for them to think it up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President. To answer Senator Welch, this is what I do for a living, I teach graduate students in public administration and I think I know something about it, and we do have programs like this in our universities across the State, public and private. I think it's silly to now create a new program within the Board of Higher Education. It doesn't belong there, the Board of Higher Education. If they do it in these other two areas, as far as I'm concerned, we ought to take a look at that, because as far as I can see, the Board of Higher Education is a planning agency. We ought to be looking forward to the future as far as the State universities and colleges are concerned in the way of planning, not in the way of running programs like this. This belongs at the university and college level, it's where it ought to stay. I would urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

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

Senate. Senator Kustra stole several of my remarks which will shorten my speech by an hour and a half. You...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...please, no...no demonstrations, please. Senator Keats.

SENATOR KEATS:

...you have to ask yourself two questions. If there's one thing this country doesn't need it's more planners. I mean, at the local government level, they can't afford to do most of the programs they're doing right now. That's not an attack or a defense, it's a simple statement. Does anyone here have a local government who's so rolling in money they don't know what else to do with it? In other words, we need more planners at the local government level like we need a broken leg, and if it is not to bring in more planners, which is the alleged expertise the universities have, then these will simply be local employees who are now...essentially on the State payroll or they're not truly paid in that sense although we're paying for the fellowship. So, in that case, we would be paying whatever limited amount we're paying simply to hire people on the local level. I think you really have to ask yourself if either of those alternatives is needed. Number one, do we need more people to find more ways to spend money that we don't have, or that these local governments don't have or, secondly, do we need to have people who are partially funded at the State level working in local governments? If they want them at local governments, let them fund them. It is the general estimation that a twenty-two year old college student probably won't bring in...or a nineteen old, depending on what age it is, this will probably be graduate students, probably won't bring some great expertise to these smaller municipalities, and remember these are the smaller municipalities. So, you just have to compare each of those alternatives and say, it's really not a

bad idea, it's just totally impractical and probably doesn't work, although not that bad an idea. I would vote No just to say, more impractical ideas that don't work are not a benefit for the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I rise in support of this piece of legislation which I think is very creative. I think one of the things that local communities often look to is expertise in the area of administration. The political science people, the local community elected officials often do not have the expertise in day-to-day administration, the kinds of things that are being taught in the universities. My own daughter had the experience at ISU of doing this very thing in an internship that they were running there as assistant to the mayor of Normal. It was an invaluable experience and has served her well in her graduate career and now in the career in which she is a...a part of. I would really recommend this bill for passage. I think it's one way we can help the municipalities. The municipal league is in strong support as are the universities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch may close.

SENATOR WELCH:

Thank you, Mr. President. I would just like to say that...many of the existing programs in graduate engineering are from private schools, not from public schools. This bill...will only applies to public universities throughout the State of Illinois. The idea that these people are either one of...one of two things if they start working for a city, either they're a bureaucrat or they're a...a nineteen year old, fresh-face kid is...is kind of amusing. These are graduate students who have gone through four years of school,

assume...I presume they would be at least twenty-two or twenty-three years old. They are trying to help local municipalities who have enterprise zones or just municipalities who need aid to try to find out about new programs and gain some expertise which is not available to them. We created lot of enterprise zones out there and, frankly, we've got a couple in our area outside of the collar counties that they don't know what the heck to do with them. They're still trying to figure out just how you go about getting grants, they're trying to figure out what they can do to put in the zone, they've gotten the zone approved, we've got...also got free...foreign trade zones that people don't know what to do. We've got all these programs and we sent them out to the local government and they don't know what the hell to do with them. What we're trying to do here is throughout the entire State of Illinois provide for interns from public administration the most recent knowledge available on the issue of State and local government and provide that to these small towns...towns who have mayors whose sole goal in life is to become mayor, they're aldermen for thirty years, they get elected mayor and they're satisfied but they don't know what's happened, they haven't been to school, they haven't kept up with the changes and we have that throughout downstate Illinois and that is what we are trying to take care of. When I introduced this bill, I was...I was at a...a function at Northern Illinois University for the graduate public affairs students. Every student there stood up and said they had a job as a public administrator or a city official, a city manager assistant and everyone was in a collar county. They came from my county, had to come into the Chicago or suburban area to get a job. We...we don't have any of these downstate and it's about time we started getting them. If we're going to keep sending out enterprise zones throughout downstate to bring in jobs and business, we ought

to send somebody with them or make somebody available to explain what they're about and how to make them work. So, I would ask for a favorable vote, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 329 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 32, the Nays are 27, none voting Present. Senate Bill 329 having received the required constitutional majority is declared passed. Page 8. On the top of page 8 is Senate Bill 332. Senator Joyce, on the Order of Senate Bills 3rd Reading, Senate Bill 332. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 332.

(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 332 provides secondary...elementary, secondary and public community colleges with a refund for...that part of the...the...of their utility bill that is attributable to the State tax. The bill was amended to remove...pursuant to an agreement with the Revenue Committee to remove churches and religious organizations. It has passed out of here previously and has also failed here previously, and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

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

Senate. As the sponsor has just pointed out, this bill, following its amendment, is now in precisely the same form as Senate Bill 187 which failed on 3rd reading yesterday and is now on postponed consideration. I would hope that all of those who voted No yesterday on 187 will do the same on this...on this bill since it is identical. The concern with this legislation is that it...it erodes the tax base it...and it opens the door to further exemptions. There's no reason in the world...I mean, as worthy as all of the...the schools and the community colleges are for this...for this exemption, I think we would have to agree that other governmental units are also deserving. So, next year we will have a bill in to exempt the sanitary districts and et cetera, et cetera, et cetera. I think that this...this bill deserves a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce may close.

SENATOR JEREMIAH JOYCE:

Well, very briefly, it's...it's a question of...of where the dollars are going. Senator, you have legislation that will be shortly before this Body which will provide substantial relief, I think in an amount...involving utilities in the amount of forty million dollars. We're talking about two or three million dollars in relief to...causes that are most worthy of our support; i.e., the education. I ask for your support on this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 332 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...on that question, the Ayes are 32, the Nays are 26, none voting Present. Senate Bill 332 having received the required constitutional majority is declared passed. Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

Mr. President, I would ask for a verification of the affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Etheredge has requested a verification of the affirmative...votes. Mr. Secretary, would you read the affirmative roll call.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Dudycz, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Topinka, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge, do you question the presence of any of the affirmative votes?

SENATOR ETHEREDGE:

Yes, Senator Chew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Chew on the Floor? Senator Chew on the Floor? Strike his name. Senator Etheredge, you...

SENATOR ETHEREDGE:

Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka on the Floor? Senator Chew is on the Floor, Senator Etheredge. Restore Senator Chew's name. Senator Topinka on the Floor? Strike her name.

SENATOR ETHEREDGE:

Is Senator Luft?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft is at the back of the Chamber.

SENATOR ETHEREDGE:

Senator Jones.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones on the Floor? Senator Jones on the Floor?
Strike his name.

SENATOR ETHEREDGE:

Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister on the Floor? Senator Sangmeister is
at the back of the Chamber. Senator Etheredge, you ques-
tion...all right, Mr. Secretary...

SENATOR ETHEREDGE:

Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge, you...all right, Senator Hall is on
the Floor. Senator Etheredge, do you question the presence
of any other member? All right, Mr. Secretary. There
are...on that question, there are 30 Ayes, 26 Nays, none
voting Present. Senate Bill 332 having received the required
constitutional majority is declared passed. Senator Lemke,
for what purpose do you arise?

SENATOR LEMKE:

Motion to reconsider.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves to reconsider the vote by which
Senate Bill 332 passed. Senator Degnan moves to Table. Those
in favor signify by saying Aye. Opposed Nay. The Ayes have
it. The motion is Tabled. It is...prevails. Senate Bill 334,
Senator Etheredge. All right, on...on the Order of Senate
Bills 3rd Reading is Senate Bill 334, Mr. Secretary, read the
bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 334.

(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. The idea behind this piece of legislation is...is very...is very simple. The most regressive State tax...important State tax on our books is the gross receipts tax on utilities. All the residents of the State of Illinois pay a five percent tax on their lighting bills and on their heating bills. What this bill proposes is not to erode that base but simply to put a cap on it so that there will be no growth in future years from this revenue source. I consider this to be a very modest step in the direction of...of reform...tax reform of this...this most regressive tax. What it does is to...it accomplishes the capping of this tax by asking for a...an estimate on an annual basis by the Department of Revenue as to what point...or at what point to set the percentage tax level to ensure that there would be no growth in the revenue from this source from year to year. At the present time,...or in Fiscal 1985, it is estimated that the revenue from this source to the State of Illinois will amount to six hundred and seventy millions of dollars, so that would be the cap at which we would strive to hold this revenue sources in...revenue source in future years. I would be very happy to respond to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR GEO-KARIS:

I'm not quite sure I understand the motive and if the motive is to save the taxpayers some money, that's what I want to know. Will it or won't it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

It will not reduce anyone's taxes but it will limit their future growth, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I liked the bill much better when...the way you first introduced it, Senator Etheredge, when it provided for a unit tax on the...for the utilities which I though made and still makes a great deal of sense, so that we don't...all of us...all of our constituents automatically have to absorb the increased rates which are happening year after year. The...this one just troubles me a lot. I...your motive, obviously, is fine, you're still trying to put a cap on the...the...revenues and to some extent the liabilities and obligations that are assumed as a result of the utility tax. It was never intended to become one of the major sources of revenue to the State. It has that. It is a...a...a contributing factor to the heavy burden that all of our ratepayers are paying. This is just such a strange way of handling it that I...I'm a little bit concerned about it. I guess what I'm probably going to do is vote Yes and hope that somehow it may get changed into what I think is a more manageable form sometime before we are through with the process.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR ETHEREDGE:

Thank you, very much. I...in response to...to Senator Netsch, it...it is true, they...this bill has gone through a metamorphosis since its initial...introduction, and the

reason for that, Senator, is that there's no way...or at least I could...I was not creative enough to discover a way that we could shift to a per therm...per unit of...consumption base without also simultaneously shifting the tax burden among classifications of users; therefore, I...I...I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 334 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 334 having received the constitutional majority is declared passed. Senate Bill 336, Senator Coffey. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, Mr. President. On a point of personal privilege. I'd like to introduce in the back of the Chamber my predecessor, former Senator Harbor Hall.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, Harbor...Senator Hall. Senate Bill 336, Senator Coffey. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 336.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Senate Bill 336 allows public school districts to be exempt from motor fuel tax for motor vehicles owned or leased...or used exclusively for transportation of students. This bill in passing out of committee there was some concern that a

precedent was going to be set with this piece of legislation. After taking a look and explaining to the committee that all other transportation systems that I know of in this State, the CTA, RTA, downstate mass transit are all exempt from...from the motor fuel tax. All we're trying to do is make this consistent to the other transportation providers in the State. Be glad to answer any...questions and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR ETHEREDGE:

Thank you, Mr. President. I feel an obligation to point out here that this...this bill does represent a...another erosion of the...of the tax base.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

To close?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, no, I thought it was a question. Senator Schuneman.

SENATOR SCHUNEMAN:

A question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

Could you explain briefly what the process is here?...would the school simply not pay the tax up-front or would they have to file for a refund?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

When a school district purchases its fuel, an affidavit would be filed with the motor fuel distributor indicating the

amount of taxation to be exempt.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay. I got my answer. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR COFFEY:

Yes, again, let me point out that all of the transportation systems in this...in the State of Illinois are exempt from motor fuel tax. There is a...a tax loss as far as department of the...Road Fund between three and six million dollars, but keep in mind that that three to six million dollars...if there's a loss there, would be...go to our educational system which we are funding at a higher level. So, all we're really doing is taking less money, yes, for the Road Fund but it will be going to our schools throughout the...the State, and it is a...it is consistent with all other transportation systems, and I'd ask...favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 336 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 6, none voting Present. Senate Bill 336 having received the constitutional majority is declared passed. Senate Bill 340, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 340.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 340 creates the Young Minds Program for the purpose of receiving donated technical and vocational equipment and distributing it to the public schools. The bill encourages businesses and individuals to donate technical and vocational equipment to schools through extraordinary income tax deductions. Corporations desiring to stay current with their own equipment are turning over their equipment many times, two-, three- or four-year periods and we are encouraging, under this bill, for them to donate that equipment to the schools throughout the State of Illinois. There is a program also provided in here for grants from the State Board of Education for the training and compensation of school personnel in the use of this equipment. Be glad to respond to any questions and encourage an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this bill. It'll give an opportunity for private schools to have the kind of equipment donated with the...the equipment the corporation can...get a tax break, gives a chance for us to do something without any outlay...or money by we, here in the Senate. I think it's a good bill. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 340 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 1, 1 voting Present. Senate Bill 340 having received the constitutional majority is declared passed. Senate Bill 350, Senator

Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 350.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senate Bill 350 and Senate Bill 351 to follow are two of the bills that are the product of the Illinois Commission on the Improvement of Elementary and Secondary Education which...involved the participation of Senators Holmberg and Newhouse, Maitland, Davidson and Etheredge. These bills with the amendments that were adopted yesterday are the product of the reform blueprint that we hope will be the basis for further negotiations, and...ultimately a sound, responsible approach with accompanying funding to improve the quality of education throughout the State of Illinois. Let me touch on a few of the points that are addressed in this bill which deals essentially with the issues of personnel reform in education. The bill requires school districts to develop procedures for evaluation of teachers, including a minimum of two formal assessments per year for certified teachers. Requires all students entering teacher education programs to demonstrate their proficiency in reading, math and language arts. Requires school districts to design programs which provide for individualized continuing education for existing teachers. It requires teacher certification candidates to pass an examination of their knowledge and skills devised by the State Board of Education in cooperation with the State Teachers Certification Board, the so-called bar exam that the Governor has referred to. Requires that administrative certificates be renewed every five years...and sets

forth...the recertification requirements. It increases minimum salaries for teachers from the statutory minimum presently at ten thousand dollars to twenty thousand dollars by 1987-88. The two amendments that were adopted yesterday deal with the requirement of...of adequate passage of minimum competency in reading, math and language arts prior to being enrolled in driver's education and has the Schaffer amendment regarding the safeguard of adequate funding. I'd be glad to respond to any questions. I want to underline that this not the final product. There are...items in here that some of us still have questions about, but I am sure that as the weeks evolve before July 1 that this will be the basis for meaningful reform of...education in Illinois. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR RIGNEY:

You're talking about a twenty thousand dollar minimum salary. What's the fiscal impact of that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

In our report, which I have in my hand, we did what many commissions fail to do and that is to price out the...the cost of each one of our recommendations. The first year cost for the recommendation for increased basic teachers'...starting teachers' salaries and the bump effect as to other teachers in that district is 80.3 million dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Wasn't there a figure to the effect...in the range of about six hundred million dollars over three years...and about three hundred of that would have to be shared by the local units?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

I...I'm not sure what you're referring to. If I add up all three years of our estimate, we're talking approximately five hundred and twenty-four million.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

How much of that is on the local units?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

All of these projections and the report of the commission is that that would be State funds. Now, let me expand upon that comment. None of us, at this point, are ready to say where those kinds of funds are coming from, and I am not asking anyone by an Aye vote on this bill to string themselves out regarding that kind of a commitment, but I would suggest to you that if we're going to improve the attractiveness of the teaching profession, we must address, as has every other body that has made recommendations, whether it be the Governor or the House of Representatives or the State Board of Education, that we increase starting teachers' salaries. I say, as I said in my opening comments, that this is the basis for further negotiations and I think that that is the responsible approach to reach meaningful reform.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rigney.

SENATOR RIGNEY:

Well, I guess my closing comment would be this, I think the House just passed out their version yesterday in the amount of thirteen thousand which I think is considerably more reasonable than the Senate version; and if that...that being the case, I'll just probably have to wait for the House version to come along.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, thank you, Mr. President. Some questions of the sponsor...a little bit along the line of...Senator Rigney's questioning. I've been trying to find out from a State agency, the State Board of Education or the Governor's Office or anybody else that is supporting the idea of raising teachers' salaries, what the impact is going to be, not Statewide, but on the schools in my district; and to date, I haven't been able to get that information from either the State Board or the Governor's Office and I don't...I doubt that you have it, Senator, and...but I would ask you to respond to that. The only place I've been able to get it is by making a direct mailing to each of the districts...schools in my district asking them to tell me what it is, and I've gotten most of that information and I submit to you that if...if we're going to raise salaries to twenty thousand dollars, it's simply going to put some of those schools out of business. Now, I don't see around here anywhere at this point any appropriation bill or funding bill that's going to see to it that if the...Wyanet School District is forced to raise their salaries to the level included here, that the...that the State of Illinois is going to reimburse and make whole that district. Could you respond to that concern?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Senator Schuneman. I'd be happy to respond. I...cannot and am not responsible for the failure of either the State Board or the Governor's Office to not be able to give you some of those figures, but it has been my commitment, the commitment of the Improvement Commission, the...the commitment of the Senators that have served on that commission that the reforms that will ultimately pass this Legislature will be fully funded by this Legislature; otherwise, I don't intend to pass them. This is not the kind of a situation where we are talking about some of the programs that we have passed...or enacted in the past where we have foisted them upon the local districts and expected them to raise the money. Based upon reasonable, logical, verifiable projections of costs when the costs match the programs and vice versa, that's when they will have my vote and, hopefully, they will have your vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

All right, but I simply want to reiterate. I think funding these mandates on a Statewide basis may be one thing, but funding them in such a way that the money gets to where the greatest impact is is going to be another thing, and as you stand here representing schools in the Chicago and suburban area and I representing schools in the rural area, I submit to you that if you raise the salary level to twenty thousand dollars, it probably is not going to have much effect on your schools, some but not much. In my case, it's a major blow, a major hit and so it seems to me that my schools are going to get a lot more money than your schools, but I don't happen to believe that that's the way things work around here, and I have a concern about that and I submit that to you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Ladies...Mr. President and Ladies and Gentlemen of the Senate. I rise in strong support of Senate Bill 350 and would urge the Body to support the measure also. I was privileged to spend some fifteen or sixteen months on the Commission for the Improvement of Elementary and Secondary Education, and when we entered into that...that...fifteen-month long program, we knew that the problems were very difficult and the answers were going to come extremely hard, but I was truly amazed at some of the testimony that we received from the twelve hearings that we held around the State. I'm confident that the package that we have before you this afternoon, Senate Bill 350 and Senate Bill 351, is a good compromise of the views and opinions of people across the State. Truly it is not perfect. Senator Berman has indicated that this issue is going to end up in...in a...Conference Committee and we know that, but it's here before the Body for, once again, your consideration. Let me respond to a couple of the questions that have been brought before the Body. First of all, with respect to Senator Schuneman's question on the minimum salary issue. This is an extremely controversial issue, and we know that, extremely controversial, and there's a great difference in...in the figures that are coming over from the House and the figures that we have in...in this bill here, and it will be dealt with in Conference Committee, but the one thing we know that any State that boasts of an average starting teacher's salary of fourteen thousand dollars ought to be ashamed of itself, but by the same token, those starting teachers have to be truly qualified, the best in the land in order to deserve a higher salary. Senator Schuneman, I would say to you that school districts in your particular legislative district would do well under our minimum salary

teacher bill regardless of what that level is, and truly it is the feeling of the commission this money should come from the State. As we test these teachers...these prospective teachers in college, we're going to have better teachers graduating and, indeed, the quality of education across this State will improve. Give us your support for this legislation this afternoon. Let us come together later in the month and work out a reasonable compromise that truly will give us reform in Illinois. I urge an Aye vote on Senate Bill 350.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 350 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 10, none voting Present. Senate Bill 350 having received the constitutional majority is declared passed. Senator Demuzio, did you seek recognition? You were waving your...Senator Demuzio.

SENATOR DEMUZIO:

Yeah, I was seeking recognition to speak on the last bill, but since it got enough votes, why, I have no quarrel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well,...Senator, it's a practice here in the Senate that if you press your light...your button and seek recognition to speak, you'll be recognized. Senator Demuzio.

SENATOR DEMUZIO:

Yeah, and while I'm on the subject, awhile ago when I was presiding and the record was taken rather prematurely on Senator...Senator Mahar's bill, but I can't...I can't find it. What was the number?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 314.

SENATOR DEMUZIO:

On 314, had I...had I been in my seat, I would have voted the affirmative.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Before we move on to our next Senate bill, we had some bills on the Order of Recall that were not called for amendments. So, these bills will be automatically moved to 3rd reading. Senate Bill...Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Privilege. Seated in the President's Gallery are some constituents from my district who are down to observe the process, the Wagglers. I wonder if they'd stand and be recognized by this Body.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senate Bill 351, Senator Maitland. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 351.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 351 before the Body now is the second bill in the package offered by Senator Berman and I this afternoon. Let me mention to you just a few of the important parts of that bill. Senate Bill 351 would require student assessment. All regular education pupils must demonstrate academic...proficiency at grades three, six, eight and ten. This is an issue that was discussed in great detail throughout the State and we think it's a very good part of the bill. Alternative education: State Board of Education shall require all school districts to provide pro-

grams to keep at-risk students in class. Clearly we found that across the State many students were...were dropping out of school and we have to find out the reason, and schools need to be able to provide courses to keep those students in class. Expanded options for secondary school students: State Board of Education shall require school districts to expand options available to secondary students who demonstrate a chronic disability to get along in class. The Principals' Academy: that's a concept that's not new. It is...we...from this Body last year authorized money to start a...a Principals' Academy and is a part of this legislation. High school...equivalency testing program: revised the law to allow sixteen, seventeen and eighteen year olds who have dropped out of school to enroll in the GTA...GED educational development. Believe strongly in this concept. With regard to kindergarten, we would suggest that over a four-year phase-in plan, we backed the starting age up one month at a time to September 1 over, once again, a period of...of four years. Full-day kindergarten reimbursement: there has been some confusion on this. We are not suggesting mandating full-day kindergarten, but we are suggesting that to schools who do have full-time kindergarten that they be reimbursed...they be reimbursed on a full-day basis. Course in physical education: we are suggesting that in the eleventh and twelfth year students be allowed to opt out of kindergarten...opt out of physical education under one of three...under one of three conditions. First of all, for the student athlete; that student who is out for basketball and football should be allowed that during that period in the school year to opt out of P.E.; for the young student who needs remediation, they too should be allow to opt out of P.E.; and finally, for the college bound student, that student who needs additional academic courses for entrance into college, that student too ought to be allowed to opt out

of P.E. Again, as with Senator Berman's Senate Bill 350, there are some areas of controversy in this bill, but we think it's a good compromise and one that should pass out of the Body, and I would urge your support for Senate Bill 351.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I intend to vote for 351 the same way I voted for 350, and I...I will be very brief. But to say that in there present form, I wouldn't be for either one of them, but they are a negotiations tool, and Art and John know it,...but I just want to make a point. As we in the suburbs and collar counties have said and we've...many of us have talked about this, you know, we pay for most of the school system and in our area I get three percent, in some cases, eight percent of the money for my schools back from the State. You know, I can vote No on every one of these bills just as easy as I can vote Yes, and if I'm getting three percent, you can keep your three percent, you need our district worse than I need you. Now either we start to clean up that funding system a little bit or you're going to have a lot of trouble with a lot of suburban and collar county legislators. And the second one...second point I want to make is this...I know we're not mandating all day kindergarten but we're funding those who want to do it. That's going to be a day-care system in two years and everyone in here knows it, and if there's one thing we don't want the schools to turn into is day care for four and five year olds. So, I...I just say, if it's things like that are in the final bills, I just want to say now, don't come looking for me, 'cause it'll be wasting your time. Now I know Art and John are eminently reasonable people and I've had a wonderful working relationship with you but, fellows, keep that in mind. You got a lot of us who can vote No on

this stuff as easily as we vote Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman. Reasonable Mr. Berman.

SENATOR BERMAN:

...Roger, I'm always reasonable as long as you vote my way. I think it's important to underline that these bills, 350 and 351, represent a substantial compromise of strong positions. The beauty of the bills is that they are a basis for some meaningful discussions. There are amendments on here that many of us disagree with, that I am sure these bills, I can guarantee you will not bypass committee and be voted out unanimously by the House of Representatives. Hopefully, we'll see them again before the end of June and I think that with the summit that has been called under the auspices of Senator Rock, Senator Philip and the other leaders and the Governor and other discussions that are ongoing, that these will be important steps towards a meaningful package. I urge an Aye for vote for Senate Bill 351.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAPFER:

Well, I don't think we need to belabor the point. I think we all recognize that these bills are but a starting point and that many of the reservations that we've mentioned and heard mentioned here are very real. I only wish to get into the record for our friends, the sponsors, and our friends in the education community, please do not confuse forty some votes for these bills as some sort of mandate for this package as it now exists. It is clearly not that. It is a statement, I think, on behalf of most of us that we wish to see a rational and reasonable education program go forward. There are some vital components missing; funding, for one thing, and the votes for funding will not be forthcoming without some of the other components which includes formula

reform and some addressing of the funding of the mandates. Let's not look at the roll call and conclude that there's a mandate for these bills as they exist today because, clearly, if any of us...many of us thought this was actually what was going to reach the Governor's Desk, it'd be hard pressed to get twenty-five votes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 351 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, none voting Present. Senate Bill 351 having received the constitutional majority is declared passed. Senate Bill 355...Senate...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 355.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 355 is a bill that this Body has seen before. It requires all noncommunity college district territory to be incorporated into an existing community college district by July, 1990. At present, as I'm sure you're all aware, there are some forty-two high school and unit districts, approximately eight percent of the land in the State of Illinois and approximately three percent of the State's population that currently is outside of a community college district. This legislation phases in a required annexation or new district formation process. We have by virtue of Amendments 1 and 2, which were agreed amendments, protected,

I think, existing public and community colleges in certain areas and by virtue of Amendment No. 2 rolled back the time until 1990. As introduced, the bill would have called for this process to be completed by 1988. In the interest of orderly transition, we have now made it 1990. Senator Etheredge, I'm sure, is much more familiar than I with this legislation, but I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Keats.

SENATOR KEATS:

I appreciate your concern for putting us in a community college district that we didn't want and that in eleven different referendums has been defeated. I don't think a community college has ever passed a referendum anywhere in my district. From my home, I have seventeen colleges in...within fifteen minutes drive from my home. I'm not going to make a big point on the bill and I see what you're doing and I appreciate it. It's very convenient for the community colleges to tell everybody to get in. The only people who are being excluded from this process are the people who are paying for them. I mean, if you win on the referendums, you know, we wouldn't have half the community colleges we had except they just kept coming back and coming back and coming back. In my area, one of the referendums went down 75-25 and a year later we had another referendum on it. All I say is, thanks for the help but I wish you'd give me a little less help.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

A question for the sponsor initially. Does this institute a tax without referendum to pay the charge-back?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Well, I suppose I could reiterate the same speech that Senator Keats gave. Obviously, there's a good portion in my district that'll be forced into a junior college district. I see no groundswell of support for it. I've never gone around here mandating and voting taxes on anyone unless they came and requested them. Now, all of a sudden, a bunch of people on the junior college board said, we want symmetry, we want everybody in; it looks nice, it's a wonderful bureaucratic thing, even though when we formed the board, we promised we wouldn't do this. We promised it, we said we wouldn't do it. Twenty years later or whatever, oh, we...we broke our promise. We're going to do it, we're going to make the people pay more taxes. We're going to make them pay taxes right now and then we're going to force them into a junior college, and then they may want to build a bunch of buildings and they want to spend millions of dollars and we'll create a bigger bureaucracy and we'll budget more employees as they've got budgeted this year under the junior college board and we'll create the bureaucracy, something that generally people don't want in these districts. If they want it, I've never been asked for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I represent part of a district that's not in a community college district either, but I will tell you why I'm supporting this bill. Under the present system, it is costing the taxpayers of my schools approximately two hundred thousand dollars out of the budget of our

high school to pay for the charge-backs and...of the community colleges for the kids that go to those community colleges. That's the reason why, I think, that there has to be uniformity because we're imposing a hidden tax, a hidden tax on people that have no idea that that, in fact, is coming out of their pockets. This is straight up, this is forward, the people will understand what it's about, and I think that's a more honest approach than the present one. I want to reinstate the several hundred thousand dollars that it's costing out of the budget of my high school district.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...I rise in support of...of this legislation because it is not only good from the educational perspective, but I think it's also good from the perspective...perspective of...of economic development. Let me...let me elaborate but...but briefly. I think one of the things that is happening in our society is that in...over the last several decades is that it is no longer possible for a person to learn a skill and then practice that skill throughout their lives. We have discovered that it is necessary for people to return to school, return to a place where they can acquire additional skills than those that they...they left school with in order that they can continue to be...productive citizens...with...within our society, and we have found that the...the number of years that they can practice a profession without renewing their skills is becoming shorter and shorter and shorter. One of the great things about the community colleges is that they are within commuting distance of the citizens of our State, at least that was the design when the master plan was approved, adopted by the...by the General Assembly back in 1965. It's important that we put these

educational...the opportunities provided by the community colleges close to the people so that they can return, so that there is a place for them to go to renew their job skills. I...I very strongly urge an Aye vote on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I don't want to reiterate some of the arguments made against this bill, but I want to make a couple of new ones. I think that the junior college system or the bill that created the junior college system could not have passed...except for the fact that some communities were allowed to opt out and they were promised at that time that they would not be a part of this system. A number of these communities are in my district. One of the reasons they didn't want to be in a community college district is because they are so far from any college. Precisely opposite to the point just made by Senator Etheredge. There would be long commuting distances for them. Consequently, many of those kids that live in those areas now have a choice of where to go to school. They choose the junior college that may offer the particular program they want and not all colleges offer the same programs. The other thing I want to point out is that this bill will require a tax without referendum on those very communities who are...are struggling to save their elementary and secondary schools. If they need to pay taxes, they need to pay them for their elementary and secondary schools, not to get into some community college district that they don't want to be in. I urge a vote against this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR ROCK:

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

Senate. I think the very point Senator Schuneman made in opposition is really justifiable reason to vote for this legislation. The fact is that the situation that's driving this legislation, that is promoting this annexation or reformation or new formation is the fact that if you look at the community college system in Illinois the average age is over thirty of those who attend, and the fact of the matter is, the charge-backs are killing the local school districts in those areas. There's roughly three million dollars annually paid out for out-of-district tuition and we ought to be, as Senator Berman said, honest and forthright about it and say, look,...get into a district, here's a levy to pay for it so that you can leave your elementary and secondary funds in your budget alone. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 355 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 42, the Nays are 15, none voting Present. Senate Bill 355 having received the constitutional majority is declared passed. Senate Bill 369, Senator Poshard. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 369.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 369 would apply the pension benefits of the State employees who already receive the alternative formula to our State correctional employees who have daily contact with inmates. It's a benefit bill and I'd like to

explain why I think this bill is...is worthy of your support. There are two primary reasons. Number one is that correctional security employees already pay the same rate of contribution as the State police and others who are currently covered by the alternative formula. We raised their rate of contribution in 1983 but we didn't give them the same benefit package. Now that seems to be grossly unfair and this bill would seek to remedy that situation, no more or no less. Secondly, the Legislature has extended the alternative formula to other groups than the State police because we recognize the inherent danger and stress of these other groups' work. Let me tell you who else gets the alternative annuity; air pilots, revenue investigators, security watchmen of the Central Management Services, Secretary of State Investigators and State Park Conservation Police, that's just to name a few. Now, can we say that the work of those groups of people are...is more dangerous or stressful than the work of our correctional workers? If you've ever been inside the walls of a Pontiac or an Menard or a Stateville Prison, you know it's no picnic. In 1984, there were over seven hundred inmate related injuries to State correctional workers. That's an average of nearly two serious injuries a day, three hundred and sixty-five days a year; eight of them in the past twelve years have been brutally murdered by inmates. I suggest to you that no other group presently covered by the alternative formula have worked more dangerous or more stressful than our correctional workers including our fine State policemen. Let me close by saying that the Department of Corrections supports this bill, the employees' union supports this bill, the State Retirement System supports the bill. I would hope that we at least treat our correctional workers who do an extremely fine job under very difficult conditions that we would treat them at least as well as we do our park police and the others whom I have mentioned before-

hand. I ask for an Aye vote on the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I imagine it's no surprise that I rise in support of this bill with the amount of correctional institutions that I have, but that may sound parochial but I think, as Senator Poshard has well stated the cause for the legislation, I mean, how can we...differentiate our correctional officers from such people as our police officers, revenue investigators, mental health police officers, Department of Central Management Service security officers, State police, all these groups. If there's any more danger or stress involved, it's certainly in the Department of Correction employees. Plus, we all know what kind of turnover we have. Still, in my district, people always are calling their State Senators, I presume they call you, and want a...some employment with the State if they can get it, and I say to them, maybe the only place we can find you a job is with the Department of Corrections. The first answer is, well, you know, I...I...I will stay unemployed before I'm going to go work there. That's how bad these jobs are and I certainly think that this kind of a program is more than deserving for those employees, and I would ask you to give it your serious consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DONAHUE:

Earlier I asked you a question and you've clarified it for me, but I think it might be helpful if we clarified it

for the record. I had asked you that if I were an employee of the State in some other agency and transferred into the Department of Corrections would I eligible for this type of pension, and is...is that...could I do that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

If you were an employee of a State agency which is not currently covered under the alternative annuity and you...you transferred into the system, you would still have to spend twenty years under this system to...to receive the annuity benefit. In other words, you couldn't transfer in with eighteen years in another agency and then serve two years and get the...the alternative annuity.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President and members of the Senate. I, too, urge you to vote Aye on this bill because of the danger of being a prison guard, and if you've been around a prison, and I...I think that Senator Poshard and Senator Sangmeister have stated the case well, and I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR SCHUNEMAN:

How much is the annual cost of this bill and how much is the unfunded liability increased?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

The annual cost under the last Economic and Fiscal Commission report is three million eight hundred thousand dollars, actuarial liability increases eighteen million nine hundred and eighty thousand.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, you know, our...the estimates that we've had about the cost have been all over the map. First one I saw was seven million dollars increase in the actuarial liability and one million seven thousand annually. Then it was increased at the time this bill was heard in committee, apparently economic and fiscal had estimated the unfunded liability cost to be seventy-seven million dollars. Then there was a later figure of thirty million dollars, and now, by some kind of change in actuarial assumptions, the number is down to eighteen million dollars. Now, I'm sure that...that the good sponsor had nothing to do with...with all of this, but I merely point out to the members that I don't think anybody knows what this is going to cost. The other point I have to make is, I...I hear the legislators who have prisons in their district rise and make the plea that one of the reasons we ought to do this is the danger of the job. Well, the danger of the job has nothing to do with...with the retirement benefit. If there is an accident or an attack, that is compensated through the worker's compensation system, not through this system. The thing that we're doing here, I think, is that we have given an ultraliberal benefit to our State police, now we have everybody else saying, we want to get on the bandwagon and get a benefit just as good as that and I would ask the sponsor just one question in closing. Can you give me...can you name one private employer in this State who allows an employee to retire at age fifty with only twenty-five year's service?

PRESIDING OFFICER: (SENATOR SAVICKAS)

That wasn't a question, that was a statement, Senator. Was that a question? Senator Poshard.

SENATOR POSHARD:

Let me answer the...the first question that you posed first of all, Senator Schuneman. The...the immediate assessments from economic and fiscal some time ago were based upon the Chicago Police Department as a comparative analysis. We found out that the people who work in the State Prison System do not work nearly as long as those people in the Chicago Police Department. As a matter of fact, some good estimates are that people who work in our prisons, those security employees, many of them burn out anywhere from seven to nine years on the job and do not even go ahead and retire, so the...the latest figures we have were based upon the figures that we got from the Department of Corrections. They're the real figures in terms of how long the people stay on and work toward retirement. I can't answer your last question, obviously. I hope it was a rhetorical question. I...I don't know that many private foundations and their retirement systems...or private companies. Sorry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. An observation I think that should be made is the fact that just in 1982 there were some changes made and those changes reflected that extra hazardous duty that these guards had. Now, we're doing something else for them. In addition to just being normal, at that time we also permitted the back duty to be added in. We were generous on that respect. Now, it looks like we're going to extend this to everybody in the correctional institution? Everybody?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

This benefit would only be extended to the security employees, and that's already defined by virtue of previous definitions established by this Legislature as those people who come into daily contact with inmates within the walls of the prison.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

...if I work in the cafeteria?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR RUPP:

I don't carry a gun, I don't have any arresting authority, I don't have any authority to act at all like that, and if I work in the cafeteria or if I am the parole officer, I...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR RUPP:

...I, too, would...would be included in this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, sir. The last two deaths that occurred in the State prison system were not correctional guards, they were, in fact,...one was a food service worker and one was a maintenance worker. So, those people do come into daily contact every day with inmates and their lives are in danger by that process. In regard to the parole officers, those people are mainly located within the Chicago area, as I understand it, and their job daily brings them into contact with very dangerous people and, in fact, there's a very, very

precarious situation that they live with.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, Mr. President and members of the Senate, I rise in support of this bill, and the thrust behind this part of the twenty-year pension is to the stress of the individual. You have already done that to...occupations, including school teachers under the Downstate Teachers' and the Chicago Teachers' Pension Fund. Any of you deal with these individuals on a daily basis, and as Senator Poshard said, the last two deaths, the last several hostages were cafeteria workers; frankly, in some ways they're in more jeopardy than the guard because the cafeteria worker...or particularly the food supervisor in most prisons, the prisoners do the food preparation under the charge of supervisors, they're the ones who are with the inmates who have access to sharp weapons, they're the ones, in most instances, are a captive...as a hostage 'cause they're already accessible and they're also not trained to defend themselves. I think this is a good bill and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

END OF REEL

REEL #5

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I very quickly want to rise in support of this bill also. I am one of the districts that is receiving a new prison and I know for a fact that it's not easy to hire the security people necessary because the...along with the salaries the benefits are not all that great. And it's been stated here earlier by the sponsor that it's a short-term, seven to nine years, that these people actually stay on the job. I think we need to encourage those people to stay and if it's to give them some extra benefits I think we should do that. And I think they do risk their lives more than a lot of our other law enforcement people do, and if...for you that have not visited some of those institutions, you ought to do so and you'd see why...they only stay for a short time. I'd ask for support on this side of the aisle for this measure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, Senator Poshard may close.

SENATOR POSHARD:

Thank you, Mr. President. I would just remind you that the alternative annuities are already extended to certain groups of other employees on the basis of recruitment and retention of qualified employees, the stress that they undergo and the dangerous nature of their work; and on that basis alone, I think our correctional security people qualify for this annuity, and I would urge a favorable vote on this bill. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 369 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...the Ayes
are 50, the Nays are 6, 1 voting Present. Senate Bill 369
having received the constitutional majority is
declared...passed. Senate Bill 371, Senator Lenke. Read the
bill, Mr. Secretary.

SECRETARY:

Senate Bill 371.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LEMKE:

What this does is it amends the...Public...Insurance
Adjusters Article. It...it allows for a injustice that we
created when we initially passed the bill, we...stated that
people that work for insurance companies did not have to get
public adjuster's license. But what we forgot to consider,
when these people retire or leave the company and want to go
work for a private adjuster they must have a license. So
what this bills does is gives them a year after they retire
or leave their employment, providing they meet certain speci-
fications of five year's experience in public adjusting...at
the...insurance company. It also allows a...a year from the
date of effective date for these people that retired
before...after our passage of the law, it'll leave them to
come into the system. I think it's a good bill and I ask for
its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall
Senate Bill 371 pass. Those in favor will vote Aye. Those
opposed vote Nay. The voting is open. Have all voted who
wish? Have...have all voted who wish? Take the record. On
that question, the Ayes are 44, the Nays are 6, none voting

Present. Senate Bill 371 having received the constitutional majority is declared passed. Senate Bill 374, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 374.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this does is sets up an...Infrastructure Revolving Fund which...where local governments can borrow from and pay back the money. What it does is creates a...a revolving fund after so many years. If we say...say borrow a million dollars at ten percent, our cost would be 2.3 million if we borrow over twenty years. If we...if we...loaned that money out to local government at six percent, we will get back 3.2 million dollars. In other words, eventually after the twenty-year period, we'll have a...we'll have a million dollars...keeps revolving and revolving which will make money. As far as the collection of it, there's no problem since we...we pay local government money in return of tax money and we have a preferred risk on our hand. I think it's a good bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR WATSON:

We are talking about...correct me if I'm wrong, increasing the general obligation debt of this State by one hundred

million dollars with this particular piece of legislation, is that...is that true?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

That is true.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Okay, then what is the position of the Economic and Fiscal Commission in regard to this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

They have an impact note but not a position. They have a...this...this general obligation on the...at the present time, the current...obligation on taxpayers...is two hundred and ninety-one dollars and ninety-six cents. This would increase a...increase of 9.62 percent...eight dollars and sixty-two cents or two percent. But eventually this would be wiped out because the money would be paid back by local governments at interest and there would be no impact.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Watson.

SENATOR WATSON:

Okay, but you didn't answer the question. Does the Economic and Fiscal Commission support this legislation?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

My understanding in talking to staff, they have no position.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, I think we ought to realize what we're doing here. We are establishing a whole new program, local infrastructure, with the General Obligation Bond requirement of a hundred million dollars. And from the State debt impact note that I have here in front of me from the Economic and Fiscal Commission, they...they claim and they say that over the period of the...of the bonds we'll have a two hundred and eighteen million dollar impact...a potential general obligation debt. So, for those reasons and others, I think this isn't really a time to be expanding our obligation...in regard to bonds and anybody who's concerned about our bond rating, and we've been quite fortunate in regard to that...that particular position, should be a No vote on this, and I would suggest that, and thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis. Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. I rise in strong support of this legislation. Senate Bill 374 is quite similar to the bill that we passed out on the Consent Calendar, Senate Bill...Senate Bill 172. I can understand Senator Watson's concerns but I think, once again, we're looking at short-term...short-term problems rather than the long-term advantages of this type of legislation. Let me explain to you that as chairman of the Subcommittee on Infrastructure and in the State...eight cities that we held subcommittee hearings in, one of the primary concerns of local units of government is that they are not interested in a handout because, quite honestly, they don't believe that there's going to be enough money available from the State...State's end to finance all of their infrastructure needs. What the local...municipalities are interested in doing, however, is obtaining some types of loans, rather than a handout a help-

ing hand, so that they might initiate the programs on their own, be willing to pay a...a reduced interest...an interest on that money they've loaned but nonetheless an interest rate and get themselves back on their feets regarding infrastructure. I think it's a great concept. It's an opportunity for us in this General Assembly to give local units of governments that are sincere and honest about helping their infrastructure needs obtain those goals, and for that reason, I would urge a...strong support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in support of this legislation and...and listened with interest to some of the debate. Let me suggest to you that if we are going to discuss the health and future of the communities of Illinois under the catch phrase that the Governor has developed of Build Illinois, you will see two things. One, there is no build in Build Illinois; and two, there is no Illinois in Build Illinois. But what we have here is really dealing with the problem, the problem of the existing and crumbling infrastructure of our older communities; the problem of providing business, and yes, residents, with adequate sewers, adequate streets, adequate lighting, adequate ways in which to go about doing business and living in a community. And what this Act says is that is part of our obligation to rebuild, rebuild Illinois, to attract and maintain business in Illinois. And what we are saying through this Act, how do you go? Let's not spend taxpayer dollars at this level if we can avoid it. So this sets up a loan fund, I'll repeat that, a loan fund, paid back by those units of local government who would have to borrow at higher rates. So we are saving the taxpayers for a change, saving the taxpayers tens upon tens upon tens of

millions of dollars. And unlike Build Illinois, this is general obligation bonds, not revenue bonds. So if the payback figure of two hundred and seventeen million is accurate, and in my opinion it's close, the Governor's way would be two hundred and fifty million dollars to do the same thing. Isn't it better to only spend over the thirty years two-seventeen than to spend two-fifty and yet get it back, which his does not do? This is a cheaper way to do a better service for the taxpayers, those are the people who asked us to be government, then I would urge support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson for the second time.

SENATOR WATSON:

Thank you, Mr. President. I'm sorry to rise a second time but there was a comment made that...a bill similar to this...went out on an agreed list. Well, it's similar but we're...the difference is a hundred million dollars. A hundred million dollars in General Obligation Bonds. Big difference...big difference. I'd like to ask the Chair, how many votes does it take for this to pass since we're raising the bonding authority of the State? How many votes?

PRESIDING OFFICER: (SENATOR SAVICKAS)

It's not raising the bonding authority...there's no increase I understand in the bonding authorization. It's a revolving fund, no increase in the authorization. So it'll take thirty votes. Is there further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in support of Senate Bill 374. And I think that Senate Bill 374 is probably one of the most responsible piece of legislation that I've seen come before this Body this year. Senator Carroll, I think, capsuled...the problem. If this...we are going to talk about rebuilding Illinois or

Build Illinois, there is just no way around getting to rebuilding our urban centers. We must, if we're talking about being responsible, there is no way to attract businesses to Illinois, there is no way to...to create jobs in Illinois, there is no way to stimulate the economy in Illinois unless we first take a hard look at our "urban" centers. This piece of legislation will most certainly provide a needed capital so that those areas can, in fact, who can't get money otherwise to build and rebuild the infrastructures such as the City of Chicago old dilapidated sewer systems that have been there since the early nineteen hundreds and we're talking about...about over four thousand miles of it. There is just no way that local units of...government can, in fact, burden that kind of financial responsibility. The responsible thing for us to do here as legislators...we represent the State...the people of the State of Illinois and we must talk about giving some relief to local units of government. And so, therefore, I urge a Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Chair was in error when it said thirty votes. The bill...after looking at the bill, the bill does call for an increase in bonding authorization and it will take three-fifths vote to pass. Is there further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I...I can't help but notice, I...I'm trying to get a copy of the bill and reading our analysis, did everybody that's for this is from one municipality...and I...I...I don't know. Is this the Build Chicago version of Build Illinois? Would one downstater please get up and tell me they think it's going to help us downstate, I'd feel much better about it. Leroy, you're not a downstater.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He's a suburbanite.

SENATOR SCHAFFER:

...I...I have a hard time buying suburbanite, but you aren't going to convince me downstater at all. Just one downstater please tell me it's a good idea, I'd just kind of like to hear that, I'm a little nervous here. I got a feeling we're being had and I can't quite see it in the bill, and I...I like to know when I'm being had exactly how we're...how the job is being done.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall from East St. Louis has indicated he supports the legislation. Is there further discussion? If not, Senator Lemke may close.

SENATOR LEMKE:

You know I always hear Senator Schaffer yell about the big, bad...City of Chicago and the people from there, but it seems like...you know, this isn't...this bill...I'll tell you how this bill originated, from a little town of McCook which consists of about three hundred...three hundred people. Okay? They are required by...IDOT to move a water main from the City of Chicago...in...under the ground. It is going to cost them...they have to pass a referendum because it's going to cost them five hundred and seventy-five thousand dollars. Okay? That means about...to one industry in McCook, Reynolds Aluminum, means about sixty thousand dollars a year increase in water rate, sixty thousand dollars in this little town. This is not for Chicago, this is for the whole State of Illinois. And...and being from a...a...a nature of people that believe and set up the building and loan system in this country, we borrowed people...money and they paid it back and we created a...a solvent industry, a solvent industry of repaying loans, because what happens in this bill is very simple. Eventually we have a million dollars in twenty years that is tax...that...interest free, we don't have to borrow, it's paid back. If we borrow a million, we...it costs us 2.3

and if we loan it out at six percent, it...we get back 3.2. That means we've made a profit and we have money in the future to build and keep building in this State projects and bridges for small local governments that can't do it. I think it's a good bill. It's not just the big thing for Chicago. This isn't a Chicago proposal 'cause, Senator Schaffer, my district I represent nineteen suburban towns. And in that nineteen suburban towns ten of them are Republican. And those people are just as well and the people I'm doing this for are...they're not going...partisan politics when it comes to local government. They run nonpartisan and their boards are evenly matched so they can do it. So this helps small communities. This helps us, and it's...one thing it does, it says to them, you don't have to be in a constant dole waiting on the State to give you money. This says, we're going to borrow it to you, pay it back, we have no problems. And it creates a constant revolving fund that will not only build this State for twenty years but will build this State forever because this money will be there forever. It'll be a constant revolving fund where the dollars will always be there after twenty years. And we don't have to keep coming back and floating bonds at high interest rates 'cause that money will be there without interest and we can loan it out to local governments. I think it's a good bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 374 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 26, 2 voting Present. Senate Bill 374 having failed to receive the constitutional majority is declared lost. (Machine cutoff)...bill 376, Senator Netsch. Senate Bill 417, Senator

Hall. For what purpose does Senator DeAngelis arise? 417,
Senator Hall.

SECRETARY:

Senate Bill 417.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The reason that Senate Bill 417 was introduced is that in both States, Missouri and Illinois, there's a compact between the two States, and this was approved on September the 20th in 1949. Bistate is the...the reason that we have this is that with this compact both States operate the bus and other transportation systems in that...between those two States. Also, that the provision of this bill is for final and binding arbitration to prevent strikes is included. And that's the reason why we have that. So what happens is that if a labor dispute...they're to be settled by finding and binding arbitration by a three-member board, one appointed by the agency, one appointed by the representatives of the employees and chairman selected from a current list of the memberships of the National Academy of Arbitrators by the agreement of both parties. This is necessary legislation...also that identical legislation must be passed by both the State of Illinois and by the State of Missouri and approved by Congress. Labor dispute is to be broadly construed and included in any effective employment of benefits. There are several reasons why this is necessary: A, the preservation of rights, privileges and benefits; B, continuation of a collected bargain rights, protection of employees for...job positions and paid training for programs. This has prevented strikes. They've just signed a new contract and

there has been good working relationship between...the management, transportation system, the State of Illinois and also the State of Missouri. I would ask your most favorable support and I'd like to reiterate that this is for binding arbitration to prevent strikes and that's the reason that we have this bill. I'd ask your most favorable support of the legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Jones, for what purpose do you arise? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. Point of personal privilege, I hate to butt in at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR JONES:

We have with us the eighth grade graduating class from Holy Neighbor Mary with their principal, Sister Carmella and their teacher Miss Jones, three...I'd like to give them a warm welcome, it's my parish.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would our guests in the gallery please rise and be recognized. Welcome to Springfield. Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I always hate to rise against one of Ken's excellent bills, and I apologize, Senator. But there are two real technical problems with this bill and...and Senator Hall has made an honest effort to clean this bill up but sometimes when you have an...an internal problem that is beyond the control of Illinois, you can't clean it up. Let me give you an example. This has binding arbitration, okay, it...it gives collective bargaining, it has a binding arbitration.

Now if the arbitrator awards say x and y, trying to figure out...let's say if Missouri...the Missouri side of bistate or the Illinois side of bistate, if one side or the other says, hey, I don't want that, I'm not paying; wait until we try and figure out between Missouri and Illinois who's paying for things that they were opposed to and the arbitrator said you're going to have to pay for. There must be some way to work it out, but this bill doesn't really do that. It's an inconsistency that when you have a group of states together, I don't really know how you deal with it. Even if everyone that was trying to do this in good faith, and I presume everyone will, there is an inconsistency that we are really not capable of dealing with 'cause it depends on...all Missouri has to do is say, well, according to Missouri law we don't pay benefits like that to Missouri employees. And all of a sudden, the guys in St. Louis are sticking it to us and I think we know that East St. Louis doesn't have the extra money to pay for some of this. Or vice versa, suppose we do it from our side and they don't want to pay for it. So you have a...a natural inconsistency. The second point I want to raise is that it does add a little more than collective bargaining. It adds a whole litany of...of...of rights that, you know, you may judge yourself whether you want to do them but it does add a litany of rights to it. And I would ask your serious consideration of the bill and...and to simplify the process, perhaps let's just not pass it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the House. Senator Hall, I, too, would like to follow that up with a couple of questions if the sponsor will yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hudson.

SENATOR HUDSON:

Kenny, what...what has Missouri done to your knowledge...at...at...at this point? Have they taken any action on this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

...Mr...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza...Senator Hall is trying to...Senator Hall.

SENATOR HALL:

Senator, in Missouri they...same legislation is in place, they're attempting to pass the same. It must be identical in both states. Now if we pass it and the other state doesn't, this won't take effect anyway. But they are...it is introduced in the Missouri Legislature and they're working on it just like we are. And I would think by the time that...if this goes through and passes the House and gets over and by the time the Governor...if it does...the Governor signs into law that if Missouri doesn't, then ours won't have any effect anyway.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

So...so to your knowledge Missouri, at this point, has not done it...has...has not done any...taken final action on this? That's what I'm trying...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Yeah, you're correct. The Missouri Legislature is in Session just like we are but there's no...been no final action taken.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

Question. Kenny, how...how...how many employees would you say this would affect in the State of Illinois? I know it's, you know, divided between Illinois and Missouri.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

To the best of my knowledge that the larger portion of this is in Missouri but I...I've been instructed that there's some five hundred employees on the Illinois side. Five hundred plus, I'm told.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

To the bill then, briefly, Mr. President. Senator Hall knows that I have all the respect in the world for him and I know his intentions are good. I...I do rise in...in opposition to this bill, however, for a number of reasons. It does introduce the concept of mandatory collective bargaining, as Senator...as Senator Keats has said, with binding arbitration. I think it's...in reading the bill, it...to me, is fairly open-ended and I...if you will bear with me for just a...just a three or four lines here. "The term of labor disputes," and that's what this is all about, "shall be broadly construed," Senator Keats mentioned this, "and shall include any controversy concerning wages, salaries, hours, working conditions or benefits including health and welfare, sick leave, insurance, pension or retirement provisions, the making or maintaining of collective bargaining agreements, the terms to be included in such agreement and the...adjustment of grievances" and so on and so on, but "the terms to be included in such agreement." Now, Senator Hall has said that it's not his intention to...to include the

right to strike or...not that, he said he...he hoped that this would prevent strikes. I'm not so sure that that will be the case under the provision of this bill, ladies and gentlemen. It would seem to me that if the bargaining agreement called for the right to strike, that's exactly what we would face. And I'm going to make...just this...close with this philosophical point and that is that we here in the Legislature create these districts and bistate agencies and supposedly maintain some sort of control over those creations of ours, but then we turn around and through a processes such as this begin to surrender the control and the very exercise of control that it seems to me that we should have over these creations of ours and we do this by bringing in this mandatory collective bargaining and a...a...a union as exclusive bargaining agent and to that extent surrender, it seems to me, the control that we should have properly over these bistate agencies. I...I think it's a...a concept that really should be rejected. And I would urge...I would urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise of support of Senate Bill 417. This issue has been debated for several years now in committee and on this Floor. The questions raised by my distinguished colleagues on...on the Labor Committee on the other side just not valid questions...concerns...I...I recall when we were debating the collective bargaining bills last year...year and year before last...the bone of contention was that we did not have binding arbitration in the bill. Well, this one does have binding arbitration in it. I...I think many of us feel that binding arbitration is fact the best way to resolve disputes in reference to...collective bargaining agreements. This

group of employees due to the nature of their employment was excluded from the collective...comprehensive collective bargaining bill...State...for the State, and for the specific reasons that...that they were...would be entering into this bistrate agreement with the State of...of Missouri. If, in fact, the...the General Assembly in the State of Missouri are now in Session just as we are in Session, then we must proceed through the process just as they are with the same identical bills and then if, in fact, their bill passes and ours don't pass, the same would happen with...with Missouri. You can't have a bistrate agreement unless both States pass the bill. So, inasmuch as we are in Session at the same time, we have to start the bills through the process at the same times. The bill, as I understand it, before the representative...before the Labor Committee are, in fact, identical bills so that the questions raised by Senator Keats would not be an issue at all. For that reason, I would urge a favorable role call for 417.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

Senator, something that I've...tried to deal with, and I'd like to have you answer this is in regard to binding arbitration. What...what happens if this committee, I believe of three, you mentioned, makes a decision that the bargaining process will spend more revenue than is generated? Can that happen under this...legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, Senator, I...I really can't answer that, I don't know but I'll certainly get it for you. I...I really am...I'll have to try and find out from...but that would be with the...up to the arbitrator and...and I just don't...I don't have that answer. And while I am asking this is that I'd like...could we have a little order...I can't...you can't even hear...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and gentlemen,...could we have some order, please.

SENATOR HALL:

Senator Watson, I...would...I'll try to get that answer for you. I really don't know. But I'd like to say here in answer to Senator Keats, not avoiding you, we can come back to you,...that Senator Keats...that I heard you made reference to East St. Louis. But this district is not just in East St. Louis, it operates in Senator Watson's area, it operates in Senator Vadalabene's area, it operates in Senator Dunn's area. This covers a wide spectrum. So...but I want you to know that you have four Senators sitting on this Floor where bistate operates in their districts. Getting back to your answer, I'll try to get that answer for you, Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, that...that's one of the reasons that I think we ought to vote No on this, simply because binding arbitration, I...that's a process that I don't have a whole deal of understanding about, and I think what can happen is you can get into a situation in which a decision is going to be made in which we're going to be actually spending more money, more revenue than what's generated. Who pays? That's a question,

I think a legitimate question and concern, and I would suggest a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall may close.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is necessary; in other words, if we have something operating between two states, and that's why that we changed the bill and we put it in to binding arbitration, as to avoid strikes because everyone seemed to have a problem with that...that last time. What happens is that you going to get agencies, you going to have the National Academy of Arbitrators there and you going to have a list of people from seven members of the National Academy...any agreement reached or awarded shall be enforceful in a civil action in any district court of the U. S. having...jurisdiction over the parties. So I can't see it being a runaway. I would hope that by the time this bill gets...before it gets out of here, Senator Watson, I mean out of the House, I'll certainly have an answer to you and I think that this is good, necessary legislation, and I'd ask your most favorable support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 417 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Senator Chew...yeah. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 26, 2 voting Present. Senate Bill 417 having received the required constitutional majority is declared passed. Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

...purpose of a request for a verification of the affirmative roll, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hudson has requested a verification of the affirmative roll. The members will be in their seats. Mr. Secretary, please read the affirmative roll call.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly,...Lechowicz, Lenke, Luft, Marovitz, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson, do you...question the presence of any member?

SENATOR HUDSON:

Yes, Mr. President, thank you. Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Jones on the Floor? Senator Jones on the Floor? Senator Jones on the Floor? Strike his name.

SENATOR HUDSON:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz on the Floor? Senator Marovitz on the Floor? Strike his name.

SENATOR HUDSON:

All right. Take the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On that question, the Ayes are 28, the Nays are 26, 2 voting Present. Senate Bill 417 having failed to receive the required constitutional majority is declared lost. Sponsor requests postponed consideration. Postponed consideration. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

SB 418
3rd Reading

Point of personal privilege, Mr. President. I would like to have myself and Senator Friedland shown as hyphenated sponsors on Senate Bill 1200. That's DeAngelis-Friedland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Senator DeAngelis seeks leave of the Body to be added as hyphenated cosponsor...of Senate Bill 1200. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate. I, too, would like to add my name as the hyphenated cosponsor of...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let's...with leave of the Body, we'll add Senator Geo-Karis, but ladies and gentlemen, we're not on that order of business, but leave is granted. Senate Bill 418. On the Order of Senate Bills 3rd Reading is Senate Bill 418, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 418.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, members of the Senate, Senate Bill 418 as amended merely allows farmers to maintain their drainage systems and it also gives permission to the Division of Waterways to...to have authority over all public and nonpublic waters. This amendment was agreed to by...members of the...farming community, Division of Waterways,...Department of Conservation, sportsmen's and...and different ones in the State. The...the only opposition that I know of to the bill now would be the municipal league. There's been much mis-

information in the newspapers that was written by, you know, misinformed people that had very little knowledge as to what they were talking about. I might say that Senator Joyce had a...a news article out of the Chicago Tribune that was comparing Illinois to Missouri and Kentucky and Minnesota and some of those states. Illinois produces more food and fiber than all those states combined...you know, Missouri and Kentucky and some of them serve two purposes; number one is to hold the world together; number two is...is to harvest tourists. But we're an agricultural State, we produce a lot of food and fiber here and...if there's any questions, I'll attempt to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Watson.

SENATOR WATSON:

I'd like to ask a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...indicates he will yield, Senator Watson.

SENATOR WATSON:

What does this have to do or anything with levy districts...and the ability of agriculture and farming community to build levies on their ground?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

It allows them to maintain...it grandfathers in the...the existing levies and...and allows them to maintain their existing systems. And it also allows them to...to build waterways and things of this nature out on their farms.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Okay. But in my district we have a real problem with this, people building levies, not getting proper permits.

The Department of Transportation has got enough to do now, in fact, they can't hardly handle what they've got in trying to comply with...with the current...current law, and I think by adding more to it, you're just going to be creating more problems. And I...I see here on my analysis that the Department of Transportation is opposed and you mentioned...I don't think you mentioned their position...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce. Oh, I beg...sorry. Senator Watson, that was a question? Senator Watson indicates that was a question. Senator O'Daniel.

SENATOR O'DANIEL:

It...it is agreed amendment by the...Illinois Department of...of Transportation. They agreed to this amendment because they do have...it gives them authority now over all nonpublic streams as well as public streams. And...and there isn't any opposition by the Illinois...the Department of Transportation. I can understand why they want authority over them. They're the number one source of silt and sediment in our streams. Because any time they build...construct a project or something, if you'll drive up and down the roads, you'll see who the number one...problem with...with silt and sediment is in the streams, but they still have that...they have the authority now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I rise in support of this legislation. This...this has been worked on long and hard by members of the committee and...and other interested people. We have reached an agreement with virtually everyone except, as the sponsor says, the municipal league. What this does is speeds up the process when a person...in the agricultural field needs drainage, they can...they...we've been assured by

the Department of Transportation that the process will be speeded up substantially. They can also clean out existing ditches without permit now and we have satisfied the environmental concerns of the Wildlife Federation and so forth. So this is...seems to me as good a bill as we can possibly get on this subject and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator O'Daniel may close.

SENATOR O'DANIEL:

I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 418 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 59, the Nays are none, none voting Present. Senate Bill 418 having received the required constitutional majority is declared passed. Page 10, 427, Senator Donahue. On the Order of Senate Bills 3rd Reading is Senate Bill 427, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 427.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 427 is an attempt to alleviate a problem that's happened in my district, and all it does is authorizes the trustees of the schools or other school officials having legal title to school sites or lands to be able to grant a roadway easement by...with the consent of a school board in

the district in which...the lands are or they'd...they'd need the easement. It was on the Agreed Bill List until I had to bring it back for a technical amendment. I would hope you could support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? The question is, shall Senate Bill 427 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 59, the...the Nays are none, none voting Present. Senate Bill 427 having received the required constitutional majority is declared passed. 445, Senator Davidson. On the Order of Senate Bills 3rd reading is Senate Bill 445, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 445.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr...Mr. President and members of the Senate, this bill does exactly what it does. It reestablished continuing education requirements for people licensed under the Illinois Medical Practice Act. It was amended to give credit for education...continue education requirements which you must meet if you have hospital privileges or board certified specialists. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 445 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

*BAH7
3rd Reading*

are 57, the Nays are none, none voting Present. Senate Bill 445 having received the required constitutional majority is declared passed. 447, Senator DeAngelis. On the Order of Senate Bills 3rd reading, Senate Bill 447, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 447.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Several years ago we passed a bill that would allow employers to group together for the purpose of self-insurance for workers' comp. Last year we created a solvency fund; however, we have a slight problem and that is that we don't have a conduit to that solvency fund, and what Senate Bill 7447 does, in the event of a default or an insolvency on the part of the part of a group self-insurer, they would first levy twenty-five percent of the previous year's premiums against the employers of the group, then access the fund, and if the fund was not sufficient enough, they would come back to the employers for the remainder. I would urge your favorable vote on Senate Bill 447.

PRESIDING OFFICER: (SENATOR DEMUZIO)

..any discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I'm sorry to get up on this bill but I felt rather upset when I tried to find out what this bill did. I was a little bit disappointed in my own ability to...to grasp what was going on, but then I felt relieved when Senator Schuneman also questioned it and he doesn't understand it either. I do think that...I was quite

relieved when that took place. But...there is...the whole purpose of solvency...funds is to pay folks when they have an injury. It seems like this is an effort to restrict the availability of the assets of those in the group insurance fund to meet those losses. I don't think that this is a bill that should be pushed through at this time and I ask for a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. First of all, on a side to Senator Rupp. From now on, Senator Rupp, when you don't understand a bill, please don't use me as a reference. Then...then a question to the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, you indicate that the reason that you want this bill and that the bill is needed is to gain access to the insolvency fund which was created, by the way, to protect the worker who's injured to make sure that there's some money in the fund. Now, it...and what I would ask you, sir, is...is, what is the balance today in that insolvency fund?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

There's zero in it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, there isn't anything in it. There's no money in the insolvency fund. And...I think what's wrong with this bill and it's a very complicated thing and it's hard...it is a hard thing for...for us to understand, I think. But I

think what's...what's wrong with it is that the people who are group self-insurers, and there are only six groups in the State,...supported the idea of creating an insolvency fund but they haven't created any fund. And the thing, frankly, that I'm worried about is that now they want protection against the possibility of their group going insolvent. They want to be protected so that they only have to pay a twenty-five percent penalty. Now those of you who are interested in protecting the rights of workers and the ability of a fund to pay the injured worker ought to be interested in this bill. It seems to me that what should be done here is to require the group self-insurers to first of all pony-up some money into that fund. Then if you want to protect them with a certain percentage of assessment, then it might make sense. But it seems to me until they put some money in the fund, this bill should not be moved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Darrow.

SENATOR DARROW:

Senator DeAngelis, why are the insurance...why is the insurance industry opposed to this bill, or...in other words, why are the last two speakers opposed to this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I can't speak for them, but I...I believe that both would probably not look favorably upon people insuring...self-insuring under groups.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Well, now you've got us all confused on this side of the aisle when you fight among the...yourselves. We don't know which side to go with, so...we'll just maybe vote Present. I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I apologize for the second time, but I think Senator DeAngelis knows full well that there is no opposition from this...to this bill from the insurance industry that I know about. I haven't heard any insurance company opposing this bill. I'm speaking on...on this bill from the standpoint that...that if you want to protect the integrity of a fund that's to pay your injured workers, you ought to know whether or not there's any money in the fund, whether...whether that fund is provided by an insurance company or a group self-insurer. That's what we're talking about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator DeAngelis may close.

SENATOR DeANGELIS:

Well, just a couple of quick points. First of all, in response to Senator Schuneman. If there is no money in the fund, the people are a hundred percent liable under this bill anyhow. I think there might be a question if there was money in the fund. The fund was just created. What we're trying to do is find a conduit to that fund. And whoever the authority is for levying that has not acted yet but I believe it's the Industrial Commission. But there is no point in having a fund if you can't access to it. So I urge support for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 447 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 54, the Nays are 3, none voting Present. Senate Bill 447 having received the required constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President, by way of an announcement, and then I'm going to seek leave of the Body to go to the Order of Recalls. We will be here on Friday, it is now obvious. So my suggestion is that we will start at nine o'clock tomorrow morning and work as late as humanly we can, and then come in at nine o'clock on Friday and...and wrap up our business. In the meantime, we have a number of members who have requested that their bills be recalled for purposes of an amendment. We will start with the recall list that the Secretary has now distributed with the appropriation bills. Then we will move to the regular recall list and attempt to finish those off today to afford the Enrolling and Engrossing clerical staff some much needed rest. But tomorrow morning at nine o'clock we will start immediately again on the Calendar. I am also happy to announce that an agreement has been effected with respect to the subject of medical malpractice. There is an amendment being drafted at this moment. The copy of the amendment and an explanation will be given to each member, I hope, before the close of business today. And we will be amending Senate Bill 1200 to effect that agreement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we...no applause, please, it's not necessary. With leave of the Body...with leave of the Body, we'll go to the Order of Recalls. Senate Bill 173, Senator Schaffer seeks leave of the Body to return

Senate Bill 173 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, is Senate Bill 173, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Sommer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. I believe first we need to Table Amendment No. 1. So having voted on the prevailing side, I move to reconsider the vote by which Amendment No. 1 was adopted for purposes of Tabling.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1...Committee Amendment No. 1 was...was adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Carroll now moves to Table Committee Amendment No. 1. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2, by Senator Sommer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this appropriates the sum of twenty-five thousand dollars that was donated by a foundation to the Secretary of State to increase literacy. It simply

appropriates these private funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer moves the adoption of Amendment No. 2 to Senate Bill 173. Any discussion? Senator Carroll.

SENATOR CARROLL:

Just we support the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY:

Amendment No. 3, by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Is that the one twenty thousand dollar line transfer?

SECRETARY:

It doesn't so state it as such but it may be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll, can you help out here? Senator Carroll.

SENATOR CARROLL:

Yes, this should be the turnover in hiring lag transfer for the Board of Regents. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Apparently it is, according to the Secretary. Senator...Senator Davidson.

SENATOR DAVIDSON:

Yeah, this a transfer, there's no new money. It's a transfer within the Board of Regents from one line item to the other 'cause they ran over expenses on Travel on the collective bargaining...during this...this fiscal year. And this is a transfer within line items.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Let me just identify now and will comment on it in a few moments. This is a...monies that would otherwise lapse in Personal Services to the Board of Regent system in higher education. And they are now giving us better turnover in hiring lag figures and therefore, in this case, they are asking to transfer them. When we get into the rest of the higher ed. budget we'll be explaining that in a little more detail. And I would support the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Davidson moves the adoption of Amendment No. 3 to Senate Bill 173. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

This is a...seventy-nine thousand five hundred and forty-one dollar supplemental reimbursement to the Illinois State Historical Library to make up for funds they already had committed for other items which they had to use to pay for the expenses of Director Kennedy and the staff and et cetera and their ongoing expenses when under the Executive Order that created the Historical Sites Department, and this is for incurring expenses from November '84 through June of '85. Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll.

SENATOR CARROLL:

...yes, Mr. President, Ladies and Gentlemen of the Senate. Senator Davidson...I think I'd ask you to withdraw this at this time. It's our understanding they have more

than enough money that they would...it is our understanding that they have sufficient funds that they would otherwise lapse, that they do not need this additional appropriation. We would, therefore, at this time, have to oppose it. I would suggest to you maybe it better to withdraw it, check with them. If we are accurate that they are lapsing more than this, let them spend what they would have otherwise lapsed. If they are not, then I will support an amendment to thereby fund. But at this point, it seems quite clear that they're lapsing more than they're seeking to spend and we would oppose the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Senator Carroll,...I...I'm...I count votes the same as you and I would withdraw it, but I got to tell you the last conversation I had with them, they...they did not give me the information as you so stated. I will be back to them yet today and if...if what I find necessary or if we find it's necessary to have all or part of this, you'll support it. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson. Senator Davidson withdraws Amendment No. 4. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

This is for forty thousand dollars to DCCA for the imple-

mentation of the plant for the...public affairs research complex we've been working on to bring industry or jobs to the Springfield area. This has to do with...reaching not-for-profit associations dealing with government parts. We have identified throughout the nation fifteen associations who want to move...indicated they would move, including eight from here in Illinois and we have an opportunity to approach them to locate here and keep them here in the State as well as expand on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson, have you concluded? Senator Davidson moves the adoption of Amendment No. 4 to Senate Bill 173. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Amendment No. 5, by Senator Sommer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President, this is a transfer from existing authority to fund the amusement ride inspector inspections, I suspect.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer moves the adoption of Amendment No. 5 to Senate Bill 173. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

Amendment No. 6, by Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you. This transfers forty-two thousand one hundred dollars in Federal Surface Mining Control and Reclamation

Funds from Contractural to Personal Services within the Land Reclamation Division.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue moves the adoption of Amendment No. 6 to Senate Bill 173. Those in favor signify by saying Aye...opposed Nay. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

Amendment No. 7, by Senator Sommer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is a transfer of existing authority in the military and naval department for telephones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer moves the adoption of Amendment No. 7 to...Senate Bill 173. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 7 is adopted. Further amendments?

SECRETARY:

Amendment No. 9, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This, again, is what we had done the first time and that's the realignment by the freeing up of downstate special ed. transportation monies to do the special ed. grants for downstate districts. It is...almost eleven million dollar reallocation to bring those that had been in ninety-five percent up to a hundred percent of formula. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Amendment No. 8 to Senate Bill 173. Those in favor signify by saying Aye. All right. Senator Philip, for what purpose do you arise? Senator Philip.

SENATOR PHILIP:

Yeah, thank you, Mr. President. This is the same amendment we defeated last week, I bet; but I think it's more money now, it's 11.4 million, it's lapse money for education. As you know, I thought our agreement was that we're going to leave it for next year. So I would suggest a roll call, Mr. President, and suggest that the membership vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll may close.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is no more than it was in the past, it is the same amount of money that they are lapsing. It takes those special ed. lines, Orphanages, et cetera and brings them up to...from eighty-eight percent to a hundred percent, from ninety-two percent to a hundred percent, from ninety-six percent to a hundred percent, from ninety-four percent to a hundred percent, so that those who had been harmed at not being at a hundred percent when we did the allocation at the beginning of the fiscal year will now be treated just as those who had gotten the hundred percent in the beginning of the fiscal year will have been treated. This is monies that we had overappropriated in some lines and therefore had underappropriated others. Now that the overages are known, I believe we would want to give the special ed., where they need it, the money to spend and I would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll has moved the adoption...of Amendment No. 1...I'm sorry...Amendment No. 8 to Senate Bill 173. Those in favor will vote Aye. Those opposed vote Nay.

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 19, none voting Present. Amendment No. 8 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate...Senate Bill 306. Is there leave to have Senator Carroll...all right, Senator...is there leave to have Senator Carroll handle this for Senator Demuzio? Leave is granted. On the Order of Senate...on...on recalls is Senate Bill 306...Senator Carroll seeks leave of the Body to return Senate Bill 306 from the Order...the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 306, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is an add-back amendment to the Auditor General's Office. It is necessitated by the fact that now that he is not going to outside contracts for some of these audits but back into staff, we had not allowed him enough money to do so, and it would add back thirty-nine thousand six hundred. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Senator Carroll moves the adoption of Amendment No. 2 to Senate Bill 306. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 356...is...is there leave to have Senator Berman handle this in...in the absence of Senator Rock? Leave is granted. On the Order of Senate Bills...of recalls is Senate Bill 356. Senator Berman seeks leave of the Body to return Senate Bill 356 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 356, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 4 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Would Senator Carroll please explain the amendment? &tf

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman yields to Senator Carroll. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is Senator Berman's amendment of his initiative, a hundred and fifty thousand dollar grant to inventors. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, Senator Carroll has moved the adoption of Amendment No. 4 to Senate Bill 356. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 360 I understand is off. 361, Senator...all right, Senator...Senator Carroll.

SENATOR CARROLL:

By way of, I guess, announcement would be the best way to handle it. In our discussions with the higher ed. budget there had been some amendments adopted and one was a tie vote, and then some other amendments. All systems now are at the three million dollars less than...than Governor's level in the area of Personal Services; Board of Regents, Board of Governors, University of Illinois, SIU, community colleges, the retirement system and the BHE, Board of Higher Ed. One of the subsequent amendments in SIU brought them down to the six and a half percent pay increase level anyway. What we have now identified talking to each of the systems is that there is a turnover and a hiring lag factor that was not previously identified, so that like other areas of State Government when they hire new people, there's a lapse period, a lag period between the time somebody goes off the payroll and someone goes on. So out of that billion three hundred million dollars spent on higher ed., we have identified that three million in Personal Services would have otherwise lapsed because of the turnover in hiring lag and that the amendments we adopted are not aimed at any specific group within the university systems. I won't have to read the list anymore. They are not aimed at any group whatsoever but merely identified as the amount that would have been a turnover in hiring lag within Personal Services, they can make their own readjustments as they see fit, and the amendments will go out of here as if the...the percentages that we had discussed at the level that we had adopted the amendments yesterday.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senate Bill 361. Senator Etheredge seeks leave of the Body to return Senate Bill 361 to the Order of 2nd Reading for the...Senator Etheredge. Senator Etheredge, 361? Senator Carroll.

SENATOR CARROLL:

To the best of our knowledge, Senator Etheredge, there would not be a need to at this point. Is that correct? Yeah, so there's no need for a recall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senate Bill 361...skip...362, Senator Weaver...Senator Weaver withdraws...363. All right. On the Order of...Senator Weaver seeks leave of the Body to return Senate Bill 363 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, is Senate Bill 363, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President, I don't know exactly which is which but one of these amendments adds forty-two...forty-two thousand for rent and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Weaver moves the adoption of Amendment No. 3 to Senate Bill 363. Any discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

...thank you, Mr. President and members of the Senate. This adds eleven thousand a hundred and fifty-four in GRP for the restorations made for the low-level employees and I'd move its adoption.

SB 364
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, those...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No...no further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 364, Senator Vadalabene. Senator Vadalabene seeks leave of the Body to return Senate Bill 364 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bill, 2nd Reading is Senate Bill 364, Mr. Secretary.

SECRETARY:

Amendment No. 5 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. Amendment No. 5 to Senate Bill 364, the amendment reappropriates the Income Fund for SIU Edwardsville.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any...Senator Vadalabene has moved the adoption of Amendment No. 5. Any discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. Sam, this is Bev. Now I went away last week because I wanted to check on something in your district. Now I don't mind if gymnasiums are...are named for you because that's appropriate, but what's this other building they're going to name for you and why have they picked you to name it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yeah, first of all, Senator Fawell, I don't appreciate

you coming down into the district and I don't know it. And, you know, my love for you is beginning to wane because you're...you're doing some things that I object to. I've never been possessive with you, and I've let you do what you please. But I really believe from now on I'm going to be a little bit more careful and just a little bit more stricter where you go. And what this amendment reappropriates is an outdoor pool for Beverly Fawell and the equipment in the amount of four hundred and twenty-five thousand dollars. No. And it's coming from the Income Fund, Beverly, and I...hope you appreciate it when you get into that damn pool.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR CARROLL:

Oh, I think...Senator Fawell may have been a little bit confused, she was aware of another project that Senator Vadalabene put in, but I think that was put in yesterday. And I think what she was questioning, Sam, is whether they're going to call it the Vadalabene Rape Center. Yeah, we...we put in money yesterday for a rape crisis center and the university has indicated if Sam wants it, they will name it after him like they do everything else on campus. So you can go from the Vadalabene Multipurpose Building over Vadalabene Bridge down Vadalabene paths, drive through Vadalabene Drive and get to the...Vadalabene Rape Center.

PRESIDING OFFICER: (SENATOR DEMUZIO)

It seems to me, Senator Vadalabene has moved the adoption...Senator Vadalabene.

END OF REEL

REEL #6

SENATOR VADALABENE:

Yes, to you, Senator Adeline Geo-Karis, I never said a word about your masturbation program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene moves the adoption of Amendment No. 5 to Senate Bill 364. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

Amendment No. 6, Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene. Senator...wants to have that one withdrawn.

SENATOR VADALABENE:

Wait a minute, Mr. President, I can't take any more of this and I want to withdraw that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 403, Senator Carroll. Senator Carroll seeks leave of the Body to return Senate Bill 403 to the Order of...2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 403, Mr. Secretary.

SECRETARY:

Senate Bill 403...Amendment No. 1 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the Court of Claims awards bill, and as always, we are adding the most recently approved claims voted for by the majority of the...of the Court of Claims. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 403. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 428, Senator Kustra. Senator Kustra seeks leave of the Body to return Senate Bill 428 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 428, Mr. Secretary.

SECRETARY:

Amendment No. 3, by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

This is a modest request for the Lincolnway High School who are going to the Fiesta Bowl. It will cost them around a hundred and thirty thousand, we're only asking that the State pick up fifteen thousand of that, and I'd appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall...Senator Sangmeister moves the adoption of Amendment No. 3 to Senate Bill 428. Those in favor signify by saying Aye. Opposed

Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Macdonald.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This adds twenty-five thousand dollars from the Tourism Promotion Fund for a grant to Prospect High School band for its trip to the 1986 Tournament of Roses Parade.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Macdonald has moved the adoption of Amendment No. 4 to Senate Bill 428. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SECRETARY:

Let's try one for Senator Rigney on No. 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

This is a very modest sum of sixteen hundred and twenty-five dollars to the Dixon High School Pom-Pom Squad to enable them to travel down to Disney World to participate in the Inaugural Parade.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney has moved the adoption of Amendment No. 5. Senator Carroll.

SENATOR CARROLL:

I just thought, Senator Rigney, the President got sworn

in in January. I wonder why they're having an inaugural parade six months later. Did anybody not tell Reagan that he was already sworn in?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney, do you wish to respond? Senator Rigney.

SENATOR RIGNEY:

I understand that the President will be down there for the occasion. You'll remember, his parade got cancelled, and...apparently, Disney World has picked the thing up now and going to make quite a promotion out of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Our parade is running late. Senator Rigney has...has moved the adoption of Amendment No. 5 to Senate Bill 429. Those in favor signify by saying Aye. Opposed...Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 451, Senator Sommer seeks leave of the Body to return Senate Bill 451 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 451, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Sommer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this simply appropriates an additional amount for the Office Supplies Revolving Warehouse Fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Sommer has moved the adoption of

Amendment No. 3 to Senate Bill 451. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4, Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This to to add back the monies for the Telecommunications Revolving Fund. We had taken out more than what their bills are anticipated to be. These are monies that we allocate to each department and then it's revolved into Central Management. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 458. Senator Karpziel seeks leave of the Body to return Senate Bill 458 to the Order of...to 2nd reading for the purpose of an amendment. Is leave granted? Leave is granted. Senate bills 2nd reading is Senate Bill 458, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Karpziel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. This amendment adds eight hundred and seventy-eight thousand dollars two hundred...eight hundred seventy-eight two hundred dollars for a

grant to the City of Geneva for the design and construction of a shallow well. They have radium in their water there...in that part of the State, and they use deep wells, they are on a restricted status...this would enable them to build a shallow well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Carroll.

SENATOR CARROLL:

...Mr. President, unfortunately, I must rise to oppose this at this time. This is the first we hear of it, very honestly, and we're not quite sure whether all that has to be done by way of planning and design function or whether it should be a State funded program, whether it should come out of other EPA funds and be a transfer or should come out of some of the new programs, and...and at this stage, we are not in a position to support it and I would ask that it either be withdrawn or...the amendment not be adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Karpiel may close.

SENATOR KARPIEL:

I'm sorry. I thought you had known about it. I'll withdraw this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Amendment is withdrawn. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 464. Senator Watson seeks leave of the Body to return Senate Bill 464 to the Order of...Senate....Senate Bills 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 464, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Amendment No. 4 adds a hundred and seventy-five thousand dollars for the department to hire six new investigators to investigate private detectives in security firms. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson has moved the adoption of Amendment No. 4 to Senate Bill 464. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 467. Senator Donahue seeks leave of the Body to return Senate Bill 467 to the Order of Senate Bills 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 467, Mr. Secretary.

SECRETARY:

Amendment No. 5 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President...Amendment No. 5 has five parts. It has a hundred and fifty thousand dollars is appropriated from the Local Government Affairs Federal Trust Fund for the administrative expenses of the Small Business Energy Assistance Program, has seventy-five thousand is reappropriated for the Federal Technology Development Consortium Program. It's a hundred thousand dollars that

is...reappropriated for the Federal Minority Business Development Program, three hundred thousand dollars is appropriated from the JTPA funds for the veteran's employment and training programs, and...two hundred and thirty-four thousand seven hundred dollars of GRF increase in the reappropriation for Industrial Development Grants to supplement training programs. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue has moved the adoption of Amendment No. 5 to Senate Bill 467. Any discussion? Any discussion? If not, those in favor...signify by saying Aye...opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

Amendment No. 6, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This a technical amendment to clean up some of the language. It has no dollar impact. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Amendment No. 6 to Senate Bill 467. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 468. Senator Donahue seeks leave of the Body to return Senate Bill 468 to the Order of 2nd...2nd Reading for the purpose of...an amendment...is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading,

Senate Bill 468, Mr. Secretary.

SECRETARY:

Amendment No. 7 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka. Senator Bloom...is there...is leave...

SENATOR BLOOM:

...maybe to keep the process going, I'll...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...well, with leave of the Body...is...is there leave to have Senator Bloom handle the amendment for Senator Topinka?

All right. Leave is granted. Senator Bloom.

SENATOR BLOOM:

This...this amendment adds seventy-five thousand for the aquaculture study. This was discussed in committee, I think maybe a change of signals. Senator Carroll, I believe, has a response to the proffered amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I think it might be wise at this point to withdraw it, Senator Bloom. I...I was not aware that apparently the substantive bill to create this program...was left underwater in the substantive committee and did not survive the swim. So there is no such program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Senator Carroll, do you want to explain that to the real sponsor of the amendment when the time comes? Maybe we should hold it and we could do it later if it's necessary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yeah, I...I agree that this is Senator Topinka's, and I

think if we withdraw the amendment now and I will be more than pleased to try and explain it to her later.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Let's keep it on hold for now and get back to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, here's...here's finally Senator...Topinka.

SENATOR BLOOM:

Senator Topinka, aquaculture is before the Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Topinka.

SENATOR TOPINKA:

Yes, Ladies and Gentlemen of the Senate, I would like to commend this amendment which adds seventy-five thousand dollars from the General Revenue Fund to an in-depth study of aquaculture, which...we're hoping that this will then proceed to develop a plan that will coordinate to the currently conflicting...State laws and regulations which pose a barrier to the development of this industry in the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator...Senator Welch.

SENATOR WELCH:

I had a question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Indicates Senator Topinka who is now the principal sponsor of her own amendment again. Senator Welch.

SENATOR WELCH:

We...we had this in the Agriculture Committee, and I believe...wasn't there a commission created by this substantive legislation and this money is to fund that commission? Is that what's this seventy-five thousand is for?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Originally that was our intention. I Tabled the bills that created the...the commission. This will just be done right out of the Department of Agriculture. There is no commission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, what in the aquaculture field are they trying to study? Whether we need more catfish farms or what...what is it they're going to study?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Currently, there are numerous bits and pieces of laws that go through about fourteen different agencies and departments, many of them conflicting, many of them duplicative, many of them not in good form; and this...it is hoped that this will bring all of these together and to find out what the needs are to create this into a...a viable institution and to expand upon on what little we have now in the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, it seems that cleaning up the Statutes and getting agencies their proper authority is our job here in the Legislature, and it seems that's what we pay staff for is to create legislation to combine or codify existing law under one section of the Smitherd Annotateds or the Illinois Revised Statute rather. I'm not sure why we need seventy-five thousand dollars to...the Department of Agriculture to do what the staff could do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

This also goes into educational programs which are concurrent in this State and out-of-state as to what is happening elsewhere and to pull all that research in. It is just really to...to completely direct specific attention on this one field so that they can get it off the ground, and there does seem to be some support in the State now but...having great difficulty in getting off the ground without a little bit of help from us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

As I recall in committee, one of the major plants or fruits or vegetables grown by this would be water chestnuts. Now, I thought that in committee you said that there was no shortage of water chestnuts in Illinois. Is...has that changed since committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Water chestnuts is one of many plants and animals that are researched by this; yes, there is probably no shortage of water chestnuts in the State of Illinois; however, there is a shortage of other plants and animal life that can be grown in a controlled environment which could indeed provide another...agribusiness which the State could use at this point with agriculture being in a slump.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I...I was...one of the problems we had was just that it...our information told us

that it had to be an average temperature of fifty degrees before...before these type of facilities really were financially feasible, and it...just seems to me that that wouldn't be the case in the Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Topinka may close.

SENATOR TOPINKA:

...since that...agribusiness has been a problem in the State, farmers are having a slump, this provides another alternative for them and it also brings a...a new and more viable business into the State of Illinois. I think anything that we can do to encourage business in the State that's...we've been addressing that issue right along the line, this just follows suit. So I would ask your favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka moves the adoption of Amendment No. 7 to Senate Bill 468. Those in favor signify by saying Aye. Opposed Nay. The Nays have it. Senator Topinka has requested a roll call. Senator Topinka moves the adoption of Amendment No. 7 to Senate Bill 468. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Senator...have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 27, none voting Present. Amendment No. 7 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. (Machine cutoff)...72, Senator...473, Senator Mahar. All right. Senator Mahar seeks leave of the Body to return Senate Bill 473 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is

granted. On the Order of Senate Bills 2nd Reading is Senate Bill 473, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate...excuse me...this adds back the monies necessary for the agreement State...status which is necessary because of our low-level nuclear waste agreements with the neighboring states where we would be the receiver. We had taken it out thinking it was something the Federal Government could do, but this is the share we must have in order to participate in that agreement. I want to move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO).

Any discussion? Senator Carroll has moved the adoption of Amendment No. 2 to Senate Bill 473. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment...No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments...no, wait a minute. We have one more. Amendment No. 3, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a further reduction of ninety-six thousand in other lines to offset the add-back, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, Senator Carroll has moved the adoption of Amendment No. 3 to Senate Bill 473. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it.

Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 476, Senator Bloom. Senator Bloom seeks leave of the Body to return Senate Bill 476 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 476, Mr. Secretary.

SECRETARY:

...Amendment No. 3 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. There has been some significant confusion and still is with this department due to overposting and field staff and staff that would be used to obtain funding for women who would otherwise have been on aid. This amendment would add back those who are actually out in the field, as we can best understand it. There is still a question of what have been known as floaters or bobbers, and that will be dealt with in a later amendment; this, in the meantime, adds it back and then we will be deducting it again later. I would move adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Amendment No. 3 to Senate Bill 476. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 4 adds back 21.5 million dollars to the Department of Public Aid's budget for the purpose of maintaining the fifty-two percent standard of need for welfare recipients, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Bloom.

SENATOR BLOOM:

Yeah, I'd make a parliamentary inquiry, Mr. President. Under our rules, is...this is an identical amendment that was offered before this Chamber yesterday or the day before and defeated. Under our rules, is it proper then...or under Robert's Rules at any rate, if our rules don't specifically address it, to offer an identical amendment? I'd say that this was dilatory, tried to make an inquiry at first.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll, I am told...I mean, Senator Bloom, I am told that there isn't...this is not in fact the identical...amendment that there is a substantive change in the amount of dollars...involved with the amendment. Senator Bloom.

SENATOR BLOOM:

Well, then, I'll...I may...I may address this again. I don't...I don't want to tie up the time of the Chamber. But how is this...okay...are you...

PRESIDING OFFICER: (SENATOR DEMUZIO)

It seems to me and I'll...I will have the Parliamentarian check this. It seems to me that under our rules, that an amendment without leave of the Body could not be considered that day that there had to be at least one legislative day before...an identical amendment could be...could be taken up, and I'm going to have the Parliamentarian check it. Senator Bloom.

SENATOR BLOOM:

Okay. Thank you. I'll...I'll await exactly what the ruling is and address it. This particular Amendment No. 4, I believe, adds in twenty-one million dollars. It's identical to the one that we defeated yesterday, and I think for the same reason...to shorten up the discussion, I think for the same reasons that this Body with votes on both sides of the aisle defeated this amendment, that we should defeat it again because, as you know, it...it does increase grants as well as...what we're doing is it's not just a twenty-one million dollar add-on, 'cause that's for six months. It's actually going to be forty-two 'cause you're raising...you're raising the rate and base again. I would urge members on both sides of the aisle to defeat it at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins may close.

SENATOR COLLINS:

Yes, thank you, Mr. President. It is not going to be forty-two, it's only half of that. It's Federal...the total twenty-one million dollars, half of that...that is Federal dollars, so it's not but twelve...twelve...twelve million and seven hundred twenty-five thousand would be coming out of...would be State dollars. Let me also say that the cost of living in...in Illinois according to statistics from the...the...campaign...the group...the causes of the campaign for the family stability indicates that five...that Illinois is about the fifth highest cost of living in the U.S., and that public aid grants are lower than twenty-four other states. Combining food stamps and grants for recipients and...and...and other resources, they are about twenty-five percent less than the poverty...Federal poverty index. This...amendment just merely brings them up to fifty-two percent of the standard of need which I understand that this Chamber has passed...the State have passed and it's merely

about a four percent increase. So...it is just fair, there's no way that we cannot bring them up to at least to the standard of...of need. And I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Collins has moved the adoption of Amendment No. 4 to Senate Bill 476. Those in favor signify by saying Aye. Nay. There's been a request for a roll call. Senator...all right. Senator Bloom.

SENATOR BLOOM:

Now that debate is done, I wondered if we could have a ruling.

PRESIDING OFFICER: (SENATOR DEMUZIO)

In the first instance, Senator Bloom, I am told that the amendment is not identical to one that was offered yesterday.

SENATOR BLOOM:

Our staff says it is. I don't know. But...I...I'm...I apologize for slowing the process down but I think it's important. I'm trying to save us a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom, I have both amendments in front of me and the amendment from yesterday was fifty thousand less than the amendment from today, so therefore they are not identical.

SENATOR BLOOM:

You're absolutely correct. Could we have a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Bloom has requested a roll call. Senator Collins has moved the adoption of Amendment No. 4 to Senate Bill 476. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all...have all...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 30, the Nays are 28, none voting Present. Amendment No. 4 is adopted. Senator

Bloom, for what purpose do you arise?

SENATOR BLOOM:

Verification, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom has requested a verification of the...Senator Bloom, the affirmative vote? Of the affirmative vote. Members will be in their seats, the Secretary will read those members who voted in the affirmative.

SECRETARY:

The following voted in the affirmative: Berman. Carroll. Chew. Collins. D'Arco. Dawson. Degnan. Demuzio. Hall. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Kelly. Lechowicz. Lemke. Luft. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Poshard. Sangmeister. Savickas. Smith. Vadalabene. Welch. Zito and Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom, do you question the presence of any of the members?

SENATOR BLOOM:

Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse on the Floor? Senator Newhouse on the Floor? Strike his name.

SENATOR BLOOM:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz on the Floor? Senator Marovitz is in the back of the Chamber.

SENATOR BLOOM:

Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft on the Floor? Senator Luft on the Floor? Strike his name.

SENATOR BLOOM:

Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco is on the Floor.

SENATOR BLOOM:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Over there by Senator Netsch.

SENATOR BLOOM:

Senator Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan on the Floor? Senator Degnan on...on the Floor? He's at the back of the phone booth...on the Floor.

SENATOR BLOOM:

Poshard...Senator Poshard on the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard on the Floor? Senator Poshard on the Floor? Strike his name.

SENATOR BLOOM:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom, do you question the presence of any other affirmative member? Mr. Secretary, what is the...27 Ayes, 28 Nays, none voting Present. Amendment No. 4 fails. Further amendments?

SECRETARY:

Amendment No. 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

To verify the negatives. We asked.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Collins has...has made a request to verify the negative vote. The request is in order. Senator

Bloom.

SENATOR BLOOM:

Well, all right. I thought that once that...the fate of bill or amendment was announced that we start on to the other business...you announced the other business. If...and you called for another amendment and the vote is off the board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Collins, the Chair in fact had...had announced the verification of the roll call. We had in...indeed gone to a...a different order of business. We are in fact on other amendments. Mr. Secretary.

SECRETARY:

Amendment No. 5 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

All right. This...Senator Carroll addressed the issue of certain floating employees' positions in the Department of Public Aid. What this does, staff has been talking back and forth with the agency trying to discern indeed if these are floating positions or not. Right now, we feel that probably the safest thing, 'cause this bill is coming back, would be to remove the hundred and ninety-two floating positions, and then in the normal legislative process ascertain whether indeed they are empty or not. So, I'd answer any questions, otherwise, seek the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Bloom has moved the adoption of Amendment No. 5 to Senate Bill 476. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 478, Senator Kustra. On the Order of Senate Bills...on Recall, Senate Bill 478. Senator Kustra seeks leave of the Body to return Senate Bill 478 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 478, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President and members of the House. Senate Bill...Amendment No. 2 increases the grant for residential service for...Department of Alcoholism by a hundred and sixty-seven thousand dollars for the moving of a mental health center...fellowship house to move off of the...Anna Mental Health Center. This...bill was passed last year, Senator Buzbee got five hundred thousand dollars to do this and the Governor vetoed that out and made an agreement with the Department of...of Alcohol and Abuse Substance, and the...and the fellowship house that they would do this in three or four stages of a hundred and sixty-seven thousand each year. So I'd like to move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR DUNN:

Or 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn has moved the adoption of Amendment No. 2 to Senate Bill 478. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As...I rise in opposition to the amendment. As has

been identified, the only official word from the second floor has been his veto of this suggested move. It is our understanding that this, in fact, can be performed on premises as it has been in the past, and we would strongly recommend that that be the continuation. It is our understanding that the mental health center can do this on their grounds and we believe as the Governor did that that's the better place to do it, and I would urge defeat of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Okay, I guess I'm one of the designated hitters here. Last year...Senator Carroll's comments are indeed correct as far as they go. Last year it was five hundred thousand, and one of the reasons it was vetoed was because it was perceived as perhaps costing more. This year, negotiations have gone on during right up to and including the past few days between the administration, I believe, and Senator Dunn and that they did agree at a compromise figure of a hundred and sixty-seven thousand. That being the case, I would rise in support of Senator Dunn's effort. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dunn may close.

SENATOR DUNN:

Thank you, Mr. President. The Department of Alcoholism and Substance Abuse had about six things amended out of their bill by the Appropriation Committee, and they have given me a list of the things that they want restored or would like to have some of it restored and...and the fellowship house money is number two on their priority list. So it's a pretty high priority. It...it would do just exactly what Senator Buzbee attempted to do last year, but it would do it in four or five different steps at a hundred and sixty-seven thousand dollars a year. And I understand that the Anna Mental Health Center

wants this moved off of the hospital grounds and they would build and start construction of a fellowship house to do the alcohol abuse, and I'd appreciate Aye vote and I'd ask for a roll call, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dunn has requested a roll call in the adoption of Amendment No. 2. Senator Dunn moves the adoption of Amendment No. 2 to Senate Bill 478. 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 29, the Nays are 29, none voting Present. Amendment No. 2 fails...Senator Dunn, for what purpose do you arise?

SENATOR DUNN:

I...I hate to take time of the Senate, but I'd like a verification, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...

SENATOR DUNN:

Of...of the negative.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Dunn has requested a verification of the roll call. The members will be in their seats. Senator Dunn, you wish to have those members who voted in the negative?

SENATOR DUNN:

Right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Mr. Secretary, you will read the names of those who voted in the negative.

SECRETARY:

The following voted in the negative: Berman. Carroll. Chew. Collins. D'Arco. Darrow. Dawson. Demuzio. Hall. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Kelly.

Lemke. Luft. Marovitz. Nedza. Netsch. Newhouse.
O'Daniel. Poshard. Sangmeister. Savickas. Smith.
Vadalabene. Welch. Zito. Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn, do you question the presence of any of those that voted in the negative?

SENATOR DUNN:

Thank you, Mr. President. I'd like to...Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse on the Floor? Senator Newhouse is on the Floor.

SENATOR DUNN:

Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft on the Floor? Senator Luft on the Floor? Strike his name.

SENATOR DUNN:

...Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard on the Floor? Strike his name.

SENATOR DUNN:

Senator D'Arco just left. I give him leave. Senator Chew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew is by his chair.

SENATOR DUNN:

Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones on the Floor? Senator Jones is back by Senator Chew.

SENATOR DUNN:

...that's all I have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Well, in that case, I'd like to verify the affirmative.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll has sought leave of...request a verification of those that voted in the affirmative. Mr. Secretary, would you read the affirmative votes.

SECRETARY:

The following voted in the affirmative: Barkhausen. Bloom. Coffey. Davidson. DeAngelis. Degnan. Donahue. Dudycz. Dunn. Etheredge. Fawell. Friedland. Geo-Karis. Karpel. Keats. Kustra. Lechowicz. Macdonald. Mahar. Maitland. Philip. Rigney. Rupp. Schaffer. Schuneman. Sommer. Topinka. Watson and Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll, do you question the...any of the members that voted in the affirmative?

SENATOR CARROLL:

Yes. Is Senator Coffey here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey on the Floor? Senator Coffey on the Floor? Strike his name.

SENATOR CARROLL:

Is Senator Donahue there?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Where's Senator...Senator Coffey...Senator Coffey is on the Floor, add him back.

SENATOR CARROLL:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR CARROLL:

Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

She's in the back of the Republican side.

SENATOR CARROLL:

Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen is in his seat.

SENATOR CARROLL:

Senator DeAngelis get back?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis on the Floor? He's in his seat.

SENATOR CARROLL:

Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats is standing right behind you.

SENATOR CARROLL:

I'm sorry, that's why I couldn't see him. Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz on the Floor? Is Senator Lechowicz on the Floor? Strike his name.

SENATOR CARROLL:

Senator Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan on the Floor? Senator Degnan on the Floor? Strike his name.

SENATOR CARROLL:

That's all, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. Secretary, may I...Senator Luft has returned to the Chamber. Senator Luft has voted in the negative, restore his...restore his vote to the negative side. On that...on that vote, there are 27 Ayes, 28 Nays, none voting Present. Amendment No. 2 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DENUZIO)

3rd reading.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Order of Senate Bills...on the recall sheet, we have Senate Bill 481, Senator Dudycz. Senator Dudycz seeks to recall 481 to the Order of 2nd Reading for purposes of amendment. Is leave granted? Leave is granted. Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 4 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senate...Amendment No. 4 would delete three million three hundred and seventy-three thousand in overtime, eight hundred and eighty-three thousand at administration, thirty-one thousand and...for cars in race track unit, seventy-seven thousand for State police Cessna airplane, six hundred and thirty-seven thousand five hundred for radio equipment for eighty-five cars, and would delete a hundred and seventy-nine thousand three hundred sixty-six in administration for permanent improvements, for a total reduction of five million two hundred and seventy-two thousand seven hundred and forty-one dollars. I'd move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Weaver moves the adoption of Amendment No. 4 to Senate Bill 481. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

Amendment No. 5, by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

SB 552
Recall

I think I'll have to withdraw it at this time. I understand that it is technically defective based on Amendment No. 4, so I'll withdraw it at this time to correct it at a future time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 482, Senator Donahue. Senate Bill...Senator Donahue wishes to have Senate Bill 482 recalled to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. On the Order of...Senate Bills 2nd Reading, Senate Bill 482. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Why, thank you, Mr. President, Ladies and Gentlemen of the Senate. This an add-back for the veterans' home in Manteno of approximately at a million dollars consistent with the request of the department, and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 2 to Senate Bill 482. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 552, Senator Rock. Is there leave to have Senator Carroll handle the bill? Hearing no

objection, leave is granted. Senator Carroll moves to bring back Senate Bill 552 from the Order of 3rd Reading for purpose of amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 552. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is to our own agencies, our legislative service unit. This is an add-back for the Audit Commission, we had misaudited the figures, and...found we had actually cut some people who...who were there. I would move the adoption of the amendment to add them back.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 2 to Senate Bill 552. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1368, Senator Sommer. Senator Sommer wishes to have Senate Bill 1368 brought back to the Order of 2nd Reading for purposes of amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1368. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is part of the reappropriation. This is for the school districts. There were actually seven schools in the Chicago area that were being constructed under this reappropriation method that for some unknown reason had been dropped from the reappropriation bill. This would put...in that money...put it back in. I have requested from the administration any explanation they may have as to why the error of having taken it out of the reappropriation, and pending an answer to that, we are asking that it be put back in. I would move adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 3 to Senate Bill 1368. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1410, Senator Collins. Senator Collins seeks leave of the Body to bring 1410 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1410. Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 1 adds the sum of three million dollars of...for the...to the Department of Commerce and Community Affairs for the operation of the Illinois Job Training Corps, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Collins moves the adoption of Amendment No. 1 to Senate Bill 1410. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No...no further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. For what purpose Senator Watson arise?

SENATOR WATSON:

Thank you, Mr. President. I'd like to take this opportunity to Table Senate Bill 1250. This is the legislation that deals with the libraries which I think many people are being contacted about. The problem has been resolved in my district, and I now would like to Table this particular piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion of Senator Watson. Hearing no objection, leave is granted...to Table House...Senate Bill 1250. Is that correct, Senator Watson, Senate Bill 1250? Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, I want to commend Senator Watson for Tabling Senate Bill 1250.

PRESIDING OFFICER: (SENATOR SAVICKAS)

At the present time, they are circulating upon your desk a second recall list. A second recall list. We will...begin at the top with the bill sponsors. On recalls, Senate Bills 57, Senator Marovitz. Senate Bill 760, Senator Marovitz. Senate Bill 915, Senator Demuzio. Senate Bill 1029, Senator Lemke. Senator Lemke seeks leave of the Body to bring Senate Bill 1029 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of Senate Bills 2nd Reading, Senate

SB 1037
Recalled

Bill 1029.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is amends Senate Bill...1029 to...let the existing enterprise zone of Bedford Park Summit to take in a piece of land that was forgotten, which is divided...which is divided by the City of Chicago. It takes in about twenty businesses which belongs to the Business Association and which is part of the economic growth of...of that particular enterprise zone...think it's a good amendment, the department is for it and they agreed to it after they found out the mistake, and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lemke moves the adoption of Amendment No. 1 to Senate Bill 1029. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1037, Senator Netsch. Senator Netsch seeks leave of the Body to recall Senate Bill 1037 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading, Senate Bill 1037, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This is the bill that deals

with use of the prior year's equalized assessed valuation and did other things as well. We've been having meetings involving both sides of the aisle and others who...including for the first time some of the school districts and others who are interested in it, and the amendments that I'm offering now reflect the agreements to date on this. It is possible that at some later time after the bill has gone over to the House that we will have some additional changes, but so far there is a wide degree of unanimity. Basically what the amendment does is to delay the uniform levy date to tax years after January 1, 1987. It deletes the provision that allowed only for adjustments by filing...I'm sorry,...it inserts a provision which allows only for adjustments by filing a certificate of error due to property being deleted from the tax rolls, and the quarterly payment provision which was mandatory is made optional so that it can be done or not done by the counties as they choose, and I think those are the major provisions that are incorporated in the amendment at the present time. I would move for the adoption of Amendment No. 1 to Senate Bill 1037.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Netsch moves the adoption of Amendment No. 1 to Senate Bill 1037. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1086, Senator Vadalabene. Well, Senator Demuzio...Senator Demuzio seeks leave of the Body to bring back Senate Bill 915 back to the Order of 2nd Reading for purpose of amendment.. Is leave granted? Leave is granted. Senator Demuzio on Senate Bill 915. Mr. Secretary.

SECRETARY:

AB 1126
Recalled

Amendment No. 1 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 would authorize the Illinois Farm Development Authority board members to receive a...a...commensurate amount of per diem, a hundred dollars a day for the days in which the board meets. It's estimated at...that the board will not meet more than fifteen times a year; currently, they are not...they do not receive any per diem, they are voluntary. This would be paid from the fees that were collected by the authority, no State dollars are involved and I would ask for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 915. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 1086,...3rd reading. Senate Bill 1086, Senator Vadalabene. 1136, Senator Watson. Read the bill, Mr. Secretary. I'm sorry. Senator Watson seeks leave of the Body to bring 1136 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading, Senate Bill 1136, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

I'd like to withdraw Amendment No. 1 or Table it,

whichever is appropriate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson seeks...seeks to leave...leave to withdraw Amendment No. 1. Is leave granted? Leave is granted. Are there further amendments?

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Okay, then, I would like to withdraw this one also, and now I understand there's one left. Right?...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson seeks leave to withdraw Amendment No. 1. Is leave granted? Leave is granted. Any further amendments?

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

...this is the real amendment. What this does is identifies what an essential part is in regard to the chop shop legislation that we had passed last year, last term or last session, and it has created a considerable amount of problems not only in my district but throughout Illinois and what we're trying to do is identify what...what is an essential part. And what the amendment does...says that a vehicle less than eight years old would be...would have an essential part and also all hulks, cowl and chassis of vehicles eight years and older would be considered an essential part and have to be inventoried by the...the...the salvage people. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Watson moves the

adoption of Amendment No. 1 to Senate Bill 1136. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1152, Senator Kustra. Senator Kustra seeks leave of...to bring back to the Order of 2nd Reading, Senate Bill 1152 for purpose of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 1152, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. The amendment to this particular bill has been held up while we've tried to work out some kind of an agreement. Basically, it's an amendment that deals with physicians' assistants and it grandfathers in about sixty physicians' assistants who took a State exam in the late '70's and who are now practicing in certain specialized fields. To the best of my knowledge, most of these physicians' assistants are not involved in primary health care. As far as I'm concerned, we'll add the amendment at 2nd reading and debate the issue on 3rd reading. I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Amendment No. 1 to Senate Bill 1152. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1086, Senator Vadalabene. Senator Vadalabene seeks leave of the Body to bring back to 2nd reading, Senate Bill 1086 for purpose of amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading Senate Bill 1086, Mr. Secretary. Well, we'll move on to...Secretary is...trying to locate the amendment, Senator Vadalabene. We'll move on to...we'll take that out of the record...we'll take that out of the record and go on to Senate Bill 1346, Senator Welch. Senator Welch seeks leave of the Body to bring Senate Bill 1346 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading, Senate Bill 1346, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I yield to Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment is, is an amendment which creates the Public Awareness and Response Act. It amends the Toxic Substances Disclosure to Employees Act. This bill originally started out as the community right-to-know piece of legislation. It is now going to, with this amendment, create the Public Awareness and Response Act providing that by March 1, 1988 and annually thereafter certain categories of industries must file a hazardous chemical notification form with the IEPA. Businesses must also develop a written on-site emergency response plan which must be reviewed and updated at least every two years. It amends

the Illinois Toxic Substances Disclosure to Employees Act to provide that businesses must submit alphabetized list of hazardous chemicals, compounds and mixtures for which the businesses have acquired material safety data sheets to the director of the Illinois Department of Labor. The Department of Labor director will send the list to either the local government agency coordinating emergency services or the county sheriff will make the list available for public inspection. This amendment as originally introduced in the House is supported by the Chemical Industry Council and it's a version of the community right-to-know supported by various industry organizations, including the Illinois Manufacturers...Association and the Chemical Industry Council. I'd try to answer any questions if anybody...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. With...will the speaker yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR FAWELL:

You...you are saying that...that industries are supposed to alphabetize lists of chemicals that they use in the industry?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Yes, Senator, they already do that alphabetically under the employee...the worker right-to-know. It's already done.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

And...and then hand them to whom?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

They go to the Department of Labor. He, then, sends the list to either the local government agency coordinating emergency services or the county sheriff who makes the list available for public inspection.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Why? I mean, what are we...what we are trying to accomplish with this?...you know, I'm not trying to kill your bill. I really want to know. What...who wants this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, basically, individuals who are...consumer group members, constituents would like to know what is in their community down at the local plant. Many of us who have plants in the communities where we live sometimes smell something or see something going up in the air or...or...or get a breeze from the plant, we'd like to know just what's going on down there. We passed last year the bill allowing employees to find out what chemicals are in that plant. What chemicals are stored. What this bill does, this relates to the chemicals that are used at the business site making it available to public, people who don't work there; and in order for them to get a copy of the chemicals that are used down at the local plant, they have to go somewhere to get it. We wanted to make sure that they didn't have to go directly to the businesses so that they'd be knocking on the door of business saying give me a list. So what we did was we gave...we have a...an option here. Through the Department of Labor, a copy of the list is sent either to the county sheriff or your

local government agency...coordinating emergency responses. So there's two possibilities based on the county where a person could go. Usually the sheriff's office is open twenty-four hours a day so, if necessary, law enforcement personnel could get the lists in case they had to go in.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

...don't a lot of the...don't a lot of these fire departments have this kind of a list so that in case there is an emergency, we have access to this information?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, that...that's pretty much a voluntary proposal on the part of the companies, some...some fire...departments do have the list available, Senator. But what with this bill...this is more geared towards individuals in the community; for instance, if you wanted to go into your local...if you wanted to find out what your plant down street had as far as chemicals which you think might result in a spill or some other...type of...a truck dragging out chemicals on its tires that might affect your children, then, you could ask the plant, what have you got in there? That's basically what it's geared towards.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, I think we ought to take this out of the record for the moment. We have just received a...a request signed by five members that...Amendment No. 1 to Senate Bill 1346 be printed and made available to every Senator who requests a copy before the amendment is further considered. It was signed by five members here and it's in order. Take it out of the record. Senate Bill...Senator Vadalabene on 1086, the Secretary does have the amendments now. Do you wish to...do

you wish to have 1086 brought back, Senator Vadalabene?
Senator...Senator Vadalabene.

SENATOR VADALABENE:

Yes, I requested for the amendments to be placed on everyone's desk on 1086 also, so that we won't have to go through the same confusion, and then I'm going to yield to Senator Welch on 1086.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Has the amendment to 1086 been distributed? Senator, we will save time by having copies...made available and distributed. We'll move on to Senate Bill 1366, Senator Sommer. Senator Sommer seeks leave of the Body to have 1366 brought back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 1366, Senator...Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Sommer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Mr. President, it...it would be my belief that I may have to take off Amendment No. 2. What is the proper motion? Having voted on the prevailing side of Amendment No. 2, we would now...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer has moved...having voted on the prevailing side, moved to reconsider the adoption of Amendment No. 2 to Senate Bill 1366. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion to reconsider is adopted. Now Senator Sommer moves to Table Amendment No. 2 to Senate Bill 1366. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is Tabled. Any further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Sommer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

It's a fine pickle we're in now. We're going to have to reconsider that motion and place it back on. They indicated to me that I did the wrong thing and it's certainly my error.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We'll just take it out of the record. Take...we're taking all that action out of the record and now we're on Senate Bill 1366 on...on 2nd reading, there...are there further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Sommer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Okay,...this is the amendment agreed to by both staffs and the Governor's Office at least in regard to language to accomplish what we had suggested at the Executive Committee in regard to these bills.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Sommer moves the adoption of Amendment No. 3 to Senate Bill 1366. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1367. Senator Sommer seeks leave of the Body to bring 1367 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of Senate Bills

SB 1382
Recalled

2nd Reading, Senate Bill 1367, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Sommer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Mr. President, this is an amendment worked out between the two staffs and the Governor's Office to reflect an agreement on language. It does not reflect agreement in principle with the bill, but it puts it in a shape that we can all agree to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer has moved the adoption of Amendment No. 2 to Senate Bill 1367. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1382, Senator Smith. Senator Smith seeks leave of the Body to bring back Senate Bill 1382 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1382, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Amendment No. 2 to Senate Bill...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Demuzio.

SENATOR SMITH:

Okay?

PRESIDENT:

All right. Senator Smith on Amendment No. 2 to Senate Bill 1382.

SENATOR SMITH:

Thank you, Mr. President. Amendment No. 2 to Senate Bill 1382 provides an exception to the authority granted to the school district in the bill. It requires a school officials to direct parents to the agency responsible for the...child's care, and with this amendment, the Department of Children and Family Services will not oppose this bill.

PRESIDENT:

All right. Senator Smith has moved the adoption of Amendment No. 2 to Senate Bill 1382. Is there any discussion? Senator Maitland.

SENATOR MAITLAND:

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

PRESIDENT:

Sponsor indicates she'll yield, Senator Maitland.

SENATOR MAITLAND:

This is the bill we debated the other day...as I recall. What...what does the amendment do now?

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you...thank you. The...the...the amendment states that the provision of the bill shall apply except as otherwise provided in the Abused and Neglected Child Reporting Act or other applicable State or Federal laws. It requires school officials to direct the parents to the agency which is responsible for the care of the child in this particular situation. In other words, when they...before...this is on Amendment No. 2.

SB 1387
Recalled

PRESIDENT:

All right. Senator Smith has moved the adoption of Amendment No. 2 to Senate Bill 1382. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Smith.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. Amendment No. 3 to Senate Bill 1382 have...we will insert the word prior to the word "custody" "protective." That's put in and that was suggested by our colleague on the other side...in order to ensure that the child will be safe, the...school board will let the families know where the child is but he will be in protective custody. This is a technical amendment and this further clarifies that the situation in which information may be withheld by the school are those in which the child is in protective custody. Inserted the word "protective" before the word "custody." I move for the adoption of this amendment.

PRESIDENT:

All right. Senator Smith has moved the adoption of Amendment No. 3 to Senate Bill 1382. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Savickas on 1387. Senator Savickas seeks leave of the Body...bottom of page 27 on Senate bills 3rd reading, Senator Savickas seeks leave of the Body to return Senate Bill 1387 to the Order of 2nd Reading for pur-

poses of an amendment. Is leave granted? Leave is granted.
On the Order of Senate Bills 2nd Reading, Senate Bill 1387,
Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Savickas.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, this amendment is the amendment that we drew up to clarify the purpose in...the legislative intent of this bill. We were meeting with the Illinois Board of Education and the proprietary schools, and they believe that this language will clarify the legislative intent and purpose of the bill and I would move its adoption.

PRESIDENT:

All right. Senator Savickas has moved the adoption of Amendment No. 1 to Senate Bill 1387. Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, will the sponsor yield?

PRESIDENT:

Sponsor indicates he'll yield, Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I...just had a copy of this amendment delivered at hand here and I'm...I'm trying to understand what it means. Could you...could you elaborate just a little bit?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Senator Etheredge, this amendment would limit the bill's application to those thirty-nine proprietary schools which are those schools which are approved by the State Board of Education or the Board of High Education and which are

accredited by a national...accrediting agency so designated by the U.S. Department of Education. The original purpose of the bill is to establish that these institutions are indeed postsecondary schools under the definition of the Statute, and now some of these schools are not recognized by the Board of Higher Education as postsecondary schools, but this would include all such schools under the definition; and contrary to earlier reports, this would not include over two hundred schools. This amendment limits this application to only those thirty-nine which meet the approval and accreditation requirements set out in the amendment, and it was...the amendment was drafted to clarify that so that these other schools would not fit in under this definition.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, the...the word that I stumbled over is on line 7 where it says, "designated by the Secretary of the U.S. Department of Education." I'm not sure exactly what that means. Wouldn't it be better if it said approved by the Secretary?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, I...I can't argue about that, Senator, I...I imagine that means approval...the definition of the word itself...I...I have no idea. I imagine that the concern is on the approval and why that word was used, I do not know.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

It appears to me when we compare the proposed language contained within this amendment that is...it is...authorizing powers that already are assigned to the Board of Higher Edu-

cation; in other words, it...it appears at least in part to duplicate what...what...what is already in law. I...

PRESIDENT:

Senator Savickas.

END OF REEL

SB 1389
Recalled

REEL #7

SENATOR SAVICKAS:

I'm advised that the word "designated" in this instance means those that are approved by the Secretary of the U. S. Department of Education.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

I...I wonder if we couldn't say "approved" then in the...in this amendment. I think that would be less confusing.

PRESIDENT:

Any further discussion? Further discussion? If not, Senator Savickas, you wish to close?

SENATOR SAVICKAS:

Yes, Senator, I...if...if that is a hang-up, I would suggest to...those that sponsored this legislation that this be amended in the House and get this word changed in there. I have no objection to it at all. It's...it's fine with me, and I would seek this adoption and pass it out, let them get it amended there and...and solve the problem, I hope.

PRESIDENT:

All right, Senator Savickas has moved the adoption of Amendment No. 1 to Senate Bill 1387. Any discussion...further discussion? If not, all in favor indicate by saying, Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Sangmeister on 1389. On the Order

of Senate Bills 3rd Reading, Senate Bill 1389. Senator Sangmeister seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1389, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senators Sangmeister and Jeremiah Joyce.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. There's an old adage that's been around here as long as you and I have all been here and that is, the sponsor ought to have his legislation in the form in which he introduced it, and this amendment does exactly that, and I ask for its adoption.

PRESIDENT:

Senator Sangmeister has moved the adoption of Amendment No. 4 to Senate Bill 1389. Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Yeah, a point...first a point of order. This bill already has three amendments on it. Now, what...what is he doing? Is...is he entitled to do this? What's he doing to those three amendments?

PRESIDENT:

You're asking for an explanation of Amendment No. 4, is that the idea? Senator Geo-Karis.

SENATOR GEO-KARIS:

Yes, I am because he can't...his bill has already been amended by the three amendments, so I don't see how his Amendment No. 4 is germane.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

I will explain to you, Senator Geo-Karis, that Amendment No. 4 follows Amendment No. 3.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, here we go again. This Amendment No. 4...Mr. Sangmeister is, again, making it possible for a presiding judge of a...of the Statewide grand jury to select the county in which the...Statewide grand jury is to sit and may...designate the place of trial in any county...in which venue would be proper, but he can decide to convene a grand jury in Carbondale, Illinois on a defendant who may be in Chicago, Illinois. I submit that this is way out of line and I think it makes...his bill just as bad as it was before I put my amendments. He also includes, of course, this time, by inference and implication in Section 5, Cook County to the other one hundred and one counties. I submit that the...this multicounty grand jury bill, the way his Amendment 4 is scheduled is a bad amendment, and I...I ask that we...we vote against it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. George, I just want to give you a little friendly zinger. Now you said the sponsor ought to have the bill in the shape they want. Earlier, Senator Karpel had a bill and she just want to put a minor amendment to put the bill in the shape she wanted it in, and I don't remember you guys letting her do that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Sangmeister

may close.

SENATOR SANGMEISTER:

Roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister moves the adoption of Amendment No. 4 to Senate Bill 1399. Those in favor indicate by saying Aye. Those opposed. The...I think a roll call has been requested. Has a roll call been requested? The Ayes have it. The amendment is...Senator Geo-Karis is joined by Senator DeAngelis and...three other members seeking a roll call. A roll call has been requested. Those in favor of adopting Amendment No. 4 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 32, the Nays 27, none voting Present. Amendment No. 4 having received the majority vote is declared adopted. Any further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Well, this is going to sound real picky, but you have to admit, Senator Geo-Karis, that when I put my Amendment No. 4 out, I had it distributed. Okay? I'm requesting that your amendments be distributed. If you've got them distributed, fine, let's go ahead, but I'm insisting they be distributed. I gave you full notice of mine. I have no idea what you're coming up with.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That request is in order. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the recall list was distributed and it would seem to me that you certainly were...well aware of my three amendments following because it's right on your recall list. And I might add, that you and I both fought this miserable type of bill when you were in the House. We fought against Fahner, we fought against Scott and now you're coming across with a miserable bill, the multicounty grand jury, which is so unfair to people. How can you do that, George?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister's request is in order to have the bill distributed to the members. Senator Sangmeister.

SENATOR SANGMEISTER:

Senator Geo-Karis, I'm surprised you'd say things like that, but haven't you ever heard of the old Biblical story called the prodigal son?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are the amendments printed and distributed? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, number one, I never thought you would be the prodigal son, George; but, number two, I...I would like to have leave...to distribute the amendments, after all, they're there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis seeks leave to keep Senate Bill 1399 on the Order of 2nd Reading for purposes of distributing her amendment. Is leave granted? There is objection. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, we're...this has to be moved to 3rd reading today. We're running late in the Session. I...I'm not going to

voluntarily hold the bill. I mean, she saw my amendment was distributed, she should have distributed hers.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Mr. Sangmeister is far smarter than I am on his parliamentary procedure and he has to...indulge me for being a little weak on it, but for heaven sakes, keep it on 2nd reading, it...it's not...your bill won't come up until tomorrow anyway, so at least I can put...get my amendment distributed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator, it's his...his ability to move it or not...the amendments have not been distributed, he can move it to 3rd. Senator Sangmeister.

SENATOR SANGMEISTER:

Let's proceed with the amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 5 will amend the Senate Bill 1389 by stating as follows, "However, before the Attorney General may file an application with the chief justice of the Supreme Court, he must first request the state's attorneys of all counties where a Statewide grand jury may be convened to investigate and to present evidence to a grand jury and the state's attorney...refuse to do so. A failure by state's attorney to act within forty-five days upon the request shall be deemed to be a refusal." I...I move the passage of this amendment.

I think it's only fair to the state's attorneys of the hundred and two counties that they be given an opportunity to decide whether they want to go ahead with a multcounty grand jury; and if not, within forty-five days, if they don't answer, the Attorney General has the right to go in and do so. I think it's only right to preserve the state's attorneys' rights in the various counties, and I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, as I indicated, this is the identical amendment she had the last time which is nothing more, again, than an effort to scuddle the bill. The bill is drafted in a very limited area dealing only with hazardous waste and the bill is so drafted that the state's attorney will...or the Attorney General will be cooperating with the state's attorney. There's no need for this amendment. Move it be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Joyce. Further discussion? If not, Senator Geo-Karis may close.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, there is nowhere in the bill of the...my distinguished colleague which says that the Attorney General must cooperate with the state's attorneys of the various counties. I move the passage of this amendment to make his bill good. We're not scuddling it, we're not scuddling it at all. I might even vote for the bill if you let may amendments on. I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis moves the adoption of Amendment No. 5 to Senate Bill 1389. Those in favor indicate by saying Aye. Those opposed...the Nays have it. The...a roll call has been

requested. 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 Yeas are 29, the Nays are 31, none voting Present. Amendment No. 5 having failed to receive a majority vote is declared lost. Any further amendments?

SECRETARY:

Amendment No. 6 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 6 says, in effect, "The county selected by the judge who's going to convene the...multicounty grand jury must be one in which the alleged offense was committed or a county directly adjacent to such...to such county." Now, I think that's only right. You don't want to have the judge convene a grand jury, as I said earlier, in Carbondale to try someone in Chicago, Illinois; there's about four hundred miles difference, and all I'm saying is, let him convene it in a county where the offense occurred or in a county directly adjacent to the county where the offense occurred, and I move the passage of this amendment in order to have a better bill made out of...the Senator's bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Geo-Karis moves the adoption...Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I'm not sure that this amendment now even tracks and...there may be some merit in what she's talking about, but if it is, we will take a look at this if when...when and if it gets over to the House. So, at this point, we would ask that the amendment be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

I question the germaneness of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Our Parliamentarian is checking that out right now, Senator. Senator Vadalabene.

SENATOR VADALABENE:

Yes, while you're following the germaneness of that bill, I would like to address my comments back over to Bev. Bev, this is Sam. I guess you heard the dialogue between George and Adeline, where George showed his and Adeline didn't show hers, and I hope that we never get into that kind of problem because I've always showed you mine and you've always showed me yours.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew, for what purpose do you arise?

SENATOR CHEW:

Just...just an announcement. One of our distinguished colleagues here is having a friendly reception this afternoon at Mason Street's Bar from six to eight. I assume he would like to invite his colleagues...Senator Emil Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There has been...there has been no response, Senator Chew. Senator Jones.

SENATOR JONES:

Yeah, Chew is picking up the tab for everyone in the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Everyone is invited at the bequest of Senator Charles Chew.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Why I think his question was, is it a complimentary invitation or is it a...

SENATOR JONES:

Who's picking up the tab? Senator Phil Rock is picking up the tab for everybody here, so everyone is invited.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the question of germaneness, our Parliamentarian has ruled that it is germane but it does not track. Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, by the same token...

PRESIDING OFFICER: (SENATOR SAVICKAS)

The amendment is out of order. Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, I submit that his amendment didn't track either, but then I can't...I haven't got the votes, so what can I say? I...you say it's germane. If it's germane, then it should be considered.

PRESIDING OFFICER: (SENATOR SAVICKAS)

It's out of order because it does not track. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Well, I think the request was not to determine whether it was out of order. The request was whether it was germane or not. I think the President was taking extraordinary powers into his own hands.

PRESIDING OFFICER: (SENATOR SAVICKAS)

No, Senator. We try to give a little more than was requested. Senator Carroll.

SENATOR CARROLL:

In that case, parliamentary inquiry. Is the amendment in order?

PRESIDING OFFICER: (SENATOR SAVICKAS)

No, it is not in order...Senator Sangmeister. Senator

DeAngelis.

SENATOR DeANGELIS:

...Fast Frank strikes again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there further amendments?

SECRETARY:

Amendment No. 7 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...for what purpose Senator Sangmeister arise?

SENATOR SANGMEISTER:

The obvious question is, does this track?

PRESIDING OFFICER: (SENATOR SAVICKAS)

We'll have to look at it, Senator. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, since Senator Sangmeister included Cook County with the other one hundred and one counties, and that's what this amendment does, by his own amendment, I'll withdraw Amendment No. 7.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis has withdrawn Amendment No. 7. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the Order of Senate Bills...on the recall sheet, we have Senate Bill 1408, Senator Collins, who seeks to bring 1408 back to the Order of 2nd Reading for purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1408, Mr. Secretary. Senator Collins.

SB 57
Recalled

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. The...I'm moving to Table Amendments No. 1 and 2 because of the confusion when the...the bill was taken out of the record the day before, then when we put the amendment on yesterday, we didn't proceed with the order...proper order...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Okay. Having voted on the prevailing side, Senator Collins moves to reconsider the votes by which Amendment No. 1 and 2 were adopted to Senate Bill 1408. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Now, Senator Collins moves to Table Amendments No. 1 and 2 to Senate Bill 1408. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Amendments 1 and 2 are Tabled. Senator Collins. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator...oh, we have...on the Order of Recall sheet, Senate Bills 3rd Reading, we have Senator Marovitz who seeks to recall Senate Bill 57 and 760 back to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is...hearing no objection, leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 57, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senators Collins and Chew.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. This the amendment that is prohibit the investment of pension funds through our pension funds system for this particular system into South

Africa. We discussed the amendment the other day, it was taken out of the record for the purpose of being distributed, and I would move for the adoption of Amendment No. 2 to 57.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. A question of the sponsor, if she'll yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR ROCK:

What is the sanction if, indeed, perhaps by chance, I assume, the trustees of a particular system or this system were, in fact, to authorize the investment in one of a number of Illinois companies who happens to have some financial interest in a South African venture?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Well, there are...there are no sanctions in this particular piece of legislation but I'm sure that with fifty...with the majority in this Senate, that if that pension fund come up before...those trustees come before this Body, we could impose some sanction for them violating any law that we pass.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, the difficulty I have, very frankly, is that we have passed in this State a...almost a guarantee fund to hold those who act in the course of their employment nonresponsible for dereliction of duty or harm caused to others. My point is that as a trustee of one of the retirement system, one has fiduciary liability to the annuitants and, indeed, one's responsibility is to seek the best return

on one's investment; and if I do something less than that, it is my view that I, as a trustee, could be held liable by an annuitant. How do we provide for a hold harmless or some immunity from a trustee's action in this respect?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, well, Senator...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...before...before we proceed, Senator, we do have a written request here, "Pursuant to Rule 15, we hereby request that the Senate Amendments 1 and 2 to Senate Bill 57 be printed and made available to every Senator who requests a copy before the amendment is considered further." Today's date and signed by five Senators. Has the amendments...have they been printed and distributed to the Senators? Senator Collins.

SENATOR COLLINS:

Yes, sir, this amendment has been distributed and distributed and distributed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there a question? Senator Collins has indicated and confirmed reports that Amendment No. 1 has been distributed and circulated to the members. Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. To Senator Rock's question. Senator Rock, if necessary, we can pass some legislation and not just...in...in reference to this particular bill, but we should have some laws on the books to...to ensure that whatever laws that we enact, that those persons...responsible for that...the pension system or any other responsibilities carry out to the letter of that law, but back to...in terms of getting a fair return, I don't think that...that this country can...can justify...proposing to

believe in...in freedom and having our young men and in the beginning dawn of life going to other countries fighting for freedom and justice without believing in justice and that's all this...this is. I think this is a very light approach to sending a message to...to the U. S. Congress and to the people of...of South Africa, that...that the people in a free country like America does not condone the dehumanizing treatment of the South Africans, and this is a very mild approach, I think, because this bill only deals with...it is not a...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rupp.

SENATOR RUPP:

...thank...thank you, Mr....thank you, Mr. President.

Now one or two questions of the sponsor?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR RUPP:

Would you acknowledge that a relationship exists between the Government of South Africa and the United State's Government?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yeah.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Would you also agree then, with that "relationship," that we, in effect, our United State's Government is doing business with the Government of South Africa?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, and I also understand that there is a...a movement

at the Federal level to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Well, then would you also not agree then since we, quote, "Our Federal Government is doing business with the South African Government," our investment funds would not be able to have any United State's bonds or any other United State's governmental investments in them?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

I...I didn't finish answering your question, the first question; in the first place, there is an effort at the Federal level too to divest of...of funds from...prohibit them from being used in South Africa, so what we're doing here is merely sanctioning that movement.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Now, I believe this bill, Mr. President, reads that you forbid investments in those organizations, agencies and you list some other things in there, doing business with South Africa. Our Federal Government is...and regardless of what the plans are or what the intentions are, maybe we have intentions here of some other things too, but the fact is that right at this moment our Federal Government is doing business with South Africa. So, if your bill is passed, what we're going to have to do is to instruct the people in our investment program to divest themselves of all our United State's Federal...you just dropped a piece of paper...Federal Government Bonds and...and other items like that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Keats.

SENATOR KEATS:

You know, we've sort of been saying nothing on some of these amendments. We're talking about...I mean, Senator Rupp has raised an excellent technical point and we've just knocked out all U.S...all U.S. Government Bonds; of course, I wouldn't want to buy securities from our government, I don't trust them anyway...you know, I'd rather...I'd rather buy International Harvester securities than U.S. Government, but, you know, we haven't been covering it, but there gets a little...bit of a frustration factor, we're singling out South Africa. I don't think anybody particularly defends the South African system but, you know, to single out one country...have you ever heard of "The Gulag Archipelago"? Man, they got...they got all kinds of guys out there, some of the are Jewish, some of them are Pentecostals; you know, they get killed just for believing in God in Russia, you know, I mean, you got to think about the factors when you get into...into the Gulag Archipelago in the Soviet Union. If you got to Afghanistan, you know the Russian Government is right now bombing women and children, and not just in Afghanistan but in Pakistan. You think we should do business with the Russians? Ask a Ukrainian what it's like to...to be able to work with the Russians sometime. Ask any of the captive nations and yet, we're going to do business with the Russians. You know we buy bananas from Nicaragua, now is that a paragon of a social virtue? You know, I mean, you look at some of the countries you deal with, you look at...did we ever try to embargo Idi Amin and Uganda? I mean, can you think of a more...despicable human being and a worse government than Uganda? We were trading with...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, your time is...bring your remarks to a close.
Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I had the pleasure of spending some three weeks in South Africa two years ago and had the good fortune of meeting and having lunch and spending a half a day with Gatsha Buthelezi. Chief Buthelezi is the chief of the Zulu Tribe, the largest tribe in South Africa. He's been educated in England and he is the leader of the black...the largest black nation in South Africa, and I will tell you what Chief Gatsha Buthelezi told us at lunch. The American companies are the only companies in South Africa that help my people. The Japanese do nothing for us, the French do nothing for us, the Germans do nothing for us, we do get some help from the British. The American companies overwhelmingly are the best companies as far as the black Africans are concerned. Now I'll tell you one thing, they have a doctor on the premises for them, they teach them English, they allow unions, the other companies do not, they give them the best wage of any manufacturing in South Africa and he said, you know, Senator, I'd love to have those blacks from Illinois come into South Africa and find out what's really going...on in our country. This is absolutely unfair. The American companies do more for South Africans than anybody and we shouldn't...we shouldn't pass this, it's a lousy idea. I've got a letter from Gatsha Buthelezi, Senator, I'd be happy to show you what he has said to me in writing. You've never been there, you've never seen it, you don't want to hurt the...the country and the companies that do the best for your people in South Africa.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have Senator Jones, Newhouse and Welch. Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. I've listened to the debate on this issue and I rise to support

the amendment. As the sponsor pointed out, the amendment is a very, very mild amendment. It does not do what I would like it to do, and in response to the minority leader who indicated that he went to South Africa and he talked with...one of the tribe leaders, and this one particular leader you are talking about, I suppose he speaks for the millions and millions of blacks over there. Perhaps this leader can sleep in the house at the palace of...of the so-called master, but that same leader is not a citizen in his own country and that is the sad part about...about the South African Government. It is the only government on...on...on this earth that practices racial discrimination, the only one. I sat on this Senate Floor and House Chamber time after time after time to see resolutions as it relate...as it relate to other countries. If this was in Czechoslovakia and the same type of government persists there, we would stand together, shoulder to...shoulder to pull whatever dollars was out of there, or be it Poland, or be it Israel, but for you to sit here and try to justify with American dollars that government, then all the things we've done in the past was just hypocrisy. You're not really concerned. Don't tell me one, two or three people represent millions of people, and if you're...if you're this concerned about the dollars and you...you talk about this great State in this great nation, if you have faith in this great State, you have faith in this nation, then you would support this amendment because if our businesses are so great, we can then take these same dollars and invest them here if we have so much confidence in our...in our...in the business section in the United States. This is a very, very mild form, but I don't think American dollars from the State of Illinois, taxpayers' dollars should be supporting a racists government. I don't care what government it is. I don't care what people it is. I'd like to see all the dollars come out. The Democrats on this side

of the aisle should take a note, you should look at what's happening in New York. Look at Governor Cuomo. He has moved to pull all of New York dollars out of firms doing business in South Africa...now he just may be your presidential nominee in 1988. But don't sit here on this Senate Floor and play games with dollars, because if it was a country that was effecting your heritage, you would be there, and from time and time and time and time again, I have stood with you on this issue. Everyone here should be willing to support this issue based on its merits, but don't sit here and tell me that three or four or five people from South Africa that you visited with liked that condition, because they are not citizens...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, would you bring your remarks to a close?

SENATOR JONES:

...in their own country, you'd know it, so let's...let's not play games, let's live up to what we've done in the past, be supportive, vote Yes on this amendment. I have some stronger ones coming behind this...behind this amendment, and if you are true to your word, do as you did on all of the resolutions as it relates to all of the countries as it relates to the people. So, let's not play games with this here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, would you bring your remarks to a close. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I'd just like to point out a couple of things. One is that I don't think there's anybody in...in this forum today who does not understand that by law blacks are disenfranchised from the...even the most basic freedoms in South Africa. It isn't simply that they are nonpersons. They cannot own property, they cannot move about

freely, they are restricted as to where they can live, they are restricted as to residency; to work, they must travel hundreds and thousands of miles from their families and stay apart from those families for years at a time, years at a time. It's absolutely subhuman and for us to gloss over and talk about this as if it's another democracy is ludicrous. We don't have General Motors in Russia, we don't have General Motors in Afghanistan; we have them in South Africa, we have our dollars there supporting a system that is repugnant to everything we presume to stand for. I talked to both Senators after they came back from that trip. I think you both will recall, as a matter of fact, I made the request, the request that the same person that invited you to South Africa invite Dick Newhouse to South Africa. You recall that? I have yet to hear from that person. I think you ought to know that also, but Chief Buthelezi knows very well that I can't travel to South Africa under normal circumstances. I have to become a special person to travel to South Africa. I must have a passport that says I am not black, as a matter of fact, and if I were to get that to...to obtain that, my movement in South Africa would be absolutely restricted by virtue of the laws of that county. So, cut out the con game. There simply is no way we can make a comparison with the freedom of movement we have in this country and we have in some of those backward nations you just mentioned. It simply is a paradox that nobody can defend. So, come off it, folks. We're talking about a fascists, Nazi country. That's what we're talking about. Now, if that's what we're talking about and we say we support that kind of government, that's one kettle of fish, admit it, okay; but if we're...if we are talking about it in any other terms, then you ought to understand that is in an absolute oppressive society comparable to any oppressive society we can think of in this country. It's not a matter of supporting other governments, it's a matter of

saying that to this particular government utilizing American dollars that we ought to...yes, I got you, Mr. President...that we ought to be as firm on our principles in this case as we are firm on our principles in other sections in other nations in this world. It's as simple as that. This is a good amendment. It ought to pass. This Body ought to unanimously stand behind saying to the South African Government that maybe we want to cooperate but you have a job to do in order to make that cooperation possible. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch. We have Senator Fawell, Schuneman, Geokaris, Hudson and Philip. Senator Fawell.

SENATOR FAWELL:

Thank...thank you, very much, Mr. President. I think every single person in this...in this room, Senator, agrees with your feeling as far as the government is concerned and...and I don't think any of us like to be cast in this...this mold of being either for the South African Government or not. The truth is that a bishop in my church, Bishop Tutu, who was a Nobel prize winner and I...and I've never been to South Africa, okay? I, like you, have never been to South Africa, but the Bishop Tutu in my church told our church members, indeed, that this would be a mistake; that, indeed, it would be the main people, your people, South African people who would suffer the most if we tried to do this. Now, I have no ax to grind one way or the other, but I don't want to see those kinds of people hurt and, therefore, I cannot support this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose Senator Vadalabene arise?

SENATOR VADALABENE:

Yes, how many speakers do you have up there on...on the Rostrum?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Three more, Senator.

SENATOR VADALABENE:

I move the previous question after those three speakers.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Vadalabene. All those in favor indicate by saying Aye. Ayes have it. The motion carries. We have Senator Geo-Karis, Hudson and Philip. Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, in 1974, Cyprus was invaded by the Turkish armies and they're still there. The people have been deprived of their rights. I'm very much interested in that. I've been to Cyprus; however, what am I going to do? Am I going to just stop the...the business and jobs that are provided for the people back home because of...of interests that the American companies have there? I have been told by some of my black friends who have visited Africa...South Africa, they're not happy with the administration of the Boers at all; however, they say that the American companies have been the most humane companies and have provided some decent jobs. In the meantime, these various companies also are companies that have their main base in this country. Now, what are you going to do? Are you going to cut out jobs here by asking the...the disinvestment and what have you? I think we should take some steps to correct what's going on. I think it's horrible what's going on in South Africa, but I think our...our position is to do it through the United Nations. Another thing as...and may I point out that...I have received loads of letters from teachers and they're opposing any...any amendment like this or any bill that...goes for disinvestment. The opposition has been Teachers' Retirement System, Chicago Teachers' Retirement System, State Employees' Retirement System, State Universities' Retirement Systems,

State Board of Investment,...Illinois Municipal Retirement Fund and, of course, State Chamber of Commerce, Manufacturer Association and Caterpillar Tractor. I can tell you, I have a lot of teachers in my district who come from Chicago and are living in my district and they are definitely opposed. One of the biggest sources of mail that I have had is from teachers, retired teachers, who don't want to see any disinvestment and they don't want their funds touched, because if they have to withdraw their funds and they loose money, it's going to be on our...on our head. I do think that we should do something but not us. We should have our Congressmen and our U.S. Senators and our President take a more positive action with South Africa, but this is not the way to do it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I'll try to be very brief. It seems to me that one does not have to be for apartheid and I certainly am not, I think it's an abominable practice, but one does not have to be for apartheid to be against the idea of disinvestment, and I'll tell you what I fear. I fear that as we withdraw American influence and business and industry in South America, we will be creating a vacuum into which something is going to move and that something may very well be Soviet influence. As a matter of fact, the Soviets would very much like to see Americans and American business out of South Africa. That is the bottom line of their global strategy. They want South Africa, my friends, and this, we'd better keep a sharp eye on. I don't want to see that influence grow because we have created a vacuum, and I happen to feel that we can best serve our black friends and...and...the black people in Africa by staying in there and applying and continue to apply the Sullivan Principles that I think Ameri-

can businesses have tried. It's been stated before here that...that the...the progress that the black people have made in South Africa has come mainly from our American business and industries. So, I think this is what...what we're all about, and I don't want to feel that South Africa is going to drift in a more oppressive way but I will suggest that the way to make it even more oppressive is to get the Americans and American businesses out of there and let something else come in and that could be the Soviets.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I just wanted to set the record absolutely clear, and if you are a black citizen of South Africa, you do and you can own property, Senator. I will tell you this right now that on the...premise of General Motors plant that they have a bank on the premises to encourage the saving of money for black Africans. I have been in their homes, they do own title to the...that land and they do travel freely throughout the country, if they're a citizen. Now, if they're coming from the north and they're not a citizen of South Africa and, quite frankly, there are a lot of people coming in illegally because it's one of the few countries in Africa that makes money, that has jobs, so it's a place where...immigrants come down from the north into the country, that's where the problem is and that's where the restriction is. Now...and I will tell you, I have been there, I have been into a lot of restaurants, a lot of hotels and I'll tell you one thing, there were blacks in every restaurant, there was blacks in every hotel. So, that is a lot of hogwash that you might read in the print media, but it simply is not true, Senator. I was there and I saw it and I was with the black leaders in so-called all white hotels or all white restaurants, abso-

lutely incorrect. Now, those people that come from the north illegally, they do have restrictions, no question about it; but if you're a citizen of South Africa, you walk around that country freely.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins may close.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. It is ironic that the...the President of the United States can talk about withdrawing support from Nicaragua, and yet, when we bring up that same issue of...withdrawing support from South Africa, all of a sudden this country is going to collapse. The...the other problem that I...in respond to one of the other speakers about Communists, the...the Russians most certainly would appear to me by our presence and identification with the racists regimen like South Africa would most certainly enhance Communist aggression, because we are identified with a...a racists regimen like South Africa. We cannot honestly sell...to the world that we believe in justice and...and democracy and...and equality and freedom and rights at the same time when we support injustice. That's all this bill is about, is to give a message to the world that we do...practice what we preach, and we do believe in justice and equality of all people. That's all this amendment does and I would ask for a favorable adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins moves the adoption of Amendment No. 2 to Senate Bill 57. 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 18, the Nays are 27, 1 voting Present. Amendment No. 2 having failed to receive a majority vote is declared lost. Any further amendments?...the other amendments have been withdrawn. Are there

S.B. 760
recall

any further amendments?

SECRETARY:

No...no further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 760. Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 3 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Having voted on the prevailing side, I move to reconsider the vote by which Amendment No. 2...is that correct, Mr. Secretary...was adopted? Yeah, so I...I move to reconsider the vote by which Amendment No. 2 was adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Marovitz...having voting on the prevailing side, he wishes to reconsider the vote by which Amendment No. 2 was adopted. Is there discussion? If not,...hearing no objection, the motion carries. Now, Senator Marovitz moves to Table Amendment No. 2 to Senate Bill 760. Those in favor indicate by saying Aye, Those opposed. The Ayes have it. The motion carries. Amendment No. 2 is Tabled. Any further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 3 was the correct amendment that should have been adopted earlier but a incorrect amendment was filed. This is the amendment regarding school buses and seat belts. It is permissive. Allows local school districts

the option whether to have seat belts or not. Previously, we had a mandatory bill and now we have a local option bill, and I would ask for adoption of Amendment No. 3 to Senate Bill 760.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 3 to Senate Bill 760. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. We have...on the Order of Recalls a request by Senator Davidson who has a bill on consideration postponed, Senate Bill 444 to be brought back to the Order of 2nd Reading for purposes of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 444, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is an amendment which the Attorney General's Office and I worked out which makes them...withdraw their objection to this bill and the amendment says, "This Subsection G shall apply only to those situations where the defendant can...demonstrate that there was no technological, feasible or economically reasonable opportunity for...preventing violation of this Act," and I concur with this amendment and I move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, the amendment is not...distributed. I'd just like to ask the sponsor a question. In...in what instance do you envision this amendment being applicable at all to anybody who violates the...the law?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, the language was by the Attorney General and felt the same as I felt that if someone had knowingly continued to violate the law, should not even have the opportunity to benefit on reduction of a fine to correct the incident. There is certain instances where the individuals are not known or do not have the technological ability at that time to correct the instance that this would give the judge or the pollution board that opportunity. It's the Attorney General's language and I think it's reasonable and I would appreciate support for this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes, I...I think it renders the entire bill harmless, so I don't see any difficulty in putting the amendment on at all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson moves the adoption of Amendment No. 1 to Senate Bill 444. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The bill will be returned to 3rd reading on consideration postponed. Now, we will go back to Senate Bill 1086, Senator

Vadalabene, who sought leave bring Senate Bill 1086 back to the Order of 2nd Reading for purpose of amendment. He has indicated that the amendment has been distributed. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1086, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

A question of the...Clerk. Are there two amendments on this bill that you have?

SECRETARY:

Yes...yes.

SENATOR WELCH:

Is this the thin one or the thick one?

SECRETARY:

This would be the thick one that I...

SENATOR WELCH:

Okay. All right, then. As I stated earlier on Senate Bill 1346, what this amendment does is create the Public Awareness and Response Act. This amendment is similar to the one offered on the other bill, on 1346. What it does is create Public Awareness and Response Act providing that certain categories of industries must file hazardous chemical notification forms for the EPA. The director sends the list to...the local governmental agency or to the sheriff who makes the list available as to individuals. Basically, this is a form of a community right-to-know bill and is supported in various...in this particular form by the...Chemical Industry Council, the Illinois Manufacturers Association and the Associated Employers of Illinois, and I'd try to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rigney.

SENATOR RIGNEY:

Yeah, a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR RIGNEY:

Is this the same amendment that was adopted yesterday by the House Republicans?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Was that Hallock amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Yes, as I understand.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

I...I think it is. I haven't seen that amendment...I'm not trying to be evasive, but I...I don't know. I think it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

...where did you get this amendment then if it...if that is not it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, it's a hybrid of several parts, Senator, including reviewing the entire system of community rates in those bills and as Senator Carroll says, parts is parts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Is this kind of a watered down version of House Bill 300, the Madigan bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, it...it's a different community right-to-know bill, yes; but as far as a water...watering down the Speaker's bill, I wouldn't do that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Wouldn't be smart. Senator Rigney.

SENATOR RIGNEY:

Well, we're...we're glad to see the gentleman on the other side of the aisle, you know, coming forward with this kind of legislation. I think it'll probably track pretty well with what apparently is going to come from the House and so, we want to get on board with you in behalf of it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Welch moves the adoption of Amendment No. 1 to Senate Bill 1086. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2, by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

What this amendment does, it adds emissions and it states, "The...at the time an employer applies or reapplies for a permit, he shall file with such application or reapplication an emission summary form," and then it goes on to state the type of summary forms, "for emissions into the air, water or land, to be reported on an emission form at such

time as he applies or reapplies." It's to detail all emission reports or estimates required under this Act or under board rules.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Welch moves the adoption of Amendment No. 2 to Senate Bill 1096. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. That concludes our recall list...oh. Yes, we do have Senate Bill 1346 that was taken out of the record. Senator Welch indicates he would like leave to bring it back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1346, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

This amendment is the two amendments just offered to the bill numbered 10086 that we were discussing. It was taken out of the record for lack of distribution, and I would move the adoption of those two amendments into the...which are this one amendment currently on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rigney.

SENATOR RIGNEY:

Well, I...I'm a little bit puzzled by this because as the Senator has already noted these things are exactly identical. Why are we doing this twice?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, Senator, it's similar to, I guess, Senator Schaffer's theory on your side of the aisle which is...have as many possible similar amendments on as many bills as possible in the hopes that one will get signed and be enacted into law.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I just hope that Senator Welch doesn't attempt to offer these amendments to my bill on 931, that's all I'm hopeful of. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Welch moves the adoption of Amendment No. 1 to Senate Bill 1346. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. For what purpose Senator Rigney arise?

SENATOR RIGNEY:

Well, I'd now like to be added as a hyphenated cosponsor to these two good pieces of legislation, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland, is that your request also? Senator Maitland.

SENATOR MAITLAND:

Yes, Mr. President, it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, obviously, with leave of the Body, Senator Rigney and Senator Maitland to seek leave to add their names as

hyphenated cosponsors to 1346 and 1086. Is...and Senator DeAngelis. Is leave granted? Leave is granted. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. That has concluded the recall sheet. I suggest that we stand adjourned until nine o'clock tomorrow morning, and let me just say, tomorrow morning we will deal with recalls. I understand there will be two or three, as members have indicated that amendments are still coming. Then, we will begin immediately on Senate bills 3rd reading with 486, Senator D'Arco; 489, Senator Netsch and we'll go right on through skipping only the appropriation bills. So, we'll give...try to afford every member an opportunity to discuss their substantive bill and then we'll get to the appropriation bills, but I urge everyone to be prompt and present at nine o'clock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Hearing no objection to the motion, the Senate stands adjourned. Senator Demuzio, for what purpose do you arise? The Senate stands adjourned until 9:00 a.m. Thursday morning.