

84TH GENERAL ASSEMBLY

REGULAR SESSION

June 20, 1985

SECRETARY:

House Amendment 1.

PRESIDENT:

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and...and...members of this Assembly and a point of personal privilege.

PRESIDENT:

State your point, ma'am.

SENATOR GEO-KARIS:

First of all, I want to congratulate the...the President of the Senate, Phil Rock, for hitting three hits last night in the Senate ball game. Second of all, I want to congratulate the Senate team for an outstanding job. Third of all, I want to congratulate the...the House members who lost an awful lot of money by...by giving five runs and ten...and ten runs...of spirit to the Senate because they finally learned their lesson, and fourth of all, I think Pete Miller did a great job. And, fifth of all, I was proud to be a member of that team even though we didn't get to play, we couldn't do any worse; but I'll tell you, we did darn well, 11 to 12 is nothing to sneeze at and I...I think we need to give a good hand to our baseball players, let's do that.

PRESIDENT:

Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Just to advise her and sixth of all, Geo, you were extremely pleased to see your picture on the second page of the Sun Times this morning.

PRESIDENT:

(Machine cutoff)...Sangmeister. (Machine cutoff)...ladies and gentlemen, we will begin where we left off yesterday, pursuant to our agreement when we had to leave at four o'clock to go to Appropriations. So, if you'll turn to

*SJR 11  
2nd reading*

page 62, 6-2 on the Calendar. We will finish...we will finish 2nd reading, then having been through it completely, then we will go to the Order of Recalls. The Secretary advises the Chair that a number of recalls have been requested by members, and, then we will again proceed on House bills 2nd reading and we will attempt to conclude our business by six o'clock this evening. If I can have the members' attention, again, we'll begin on page 62 to afford those members who...because of the press of business yesterday couldn't get to their bill the opportunity to finish up House bills 2nd. Then we will do recalls and then we will again begin on...House bills 2nd reading and attempt to go through it one more time entirely. So it's Senators Topinka, Schaffer, Luft, Sangmeister, D'Arco and Hall will be the first group. (Machine cutoff)...we're waiting for the members to arrive, I would again remind the members, we'll start at page 62, Topinka, Schaffer, Luft, Sangmeister, D'Arco, Hall and on through. In the meantime, with leave of the Body, we'll turn to page 64 on the Calendar. Senator Vadalabene has requested that the Constitutional Amendment on 2nd reading be read a third time. Mr. Secretary, on page 64 on the Calendar, on the Order of Constitutional Amendments on 2nd Reading is Senate Joint Resolution 11.

ACTING SECRETARY: (MR. FERNANDES)

(Machine cutoff)...Joint Resolution No. 11 Constitutional Amendment.

(Secretary reads SJR No. 11)

2nd reading of the resolution.

PRESIDENT:

3rd reading. If I can have your attention, before we begin on page 62, there is a special guest in the City of Springfield who has taken some time to come over and say hello, and I would ask Senator Luft to introduce this gentleman.

SENATOR LUFT:

Thank you, Mr. President. If I can have your attention, we have with us today probably one of our most famous presidential candidates of the 60's and the 70's; unfortunately, his campaigns weren't very successful, but he sure generated a lot of interest, enough probably that he may be coming back here in the new future...in the near future to announce a candidacy for president, governor or whatever again. He is presently in Springfield and it's my honor to introduce the former presidential candidate, Mr. Pat Paulsen.

MR. PAT PAULSEN:

(Remarks given by Pat Paulsen)

PRESIDING OFFICER: (SENATOR CHEW)

Ladies and gentlemen, we're on Senate bills 2nd reading, Senate Bill 2179, Senator Zito.

PRESIDENT:

Senator Topinka. All right. 2194, Senator Schaffer. 2194. On the Order of House Bills 2nd Reading, House Bill 2194. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2194.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

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

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2199.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers Amendments Nos. 1 and 2.

PRESIDENT:

Senator Luft on Committee Amendment No. 1.

SENATOR LUFT:

Thank you, Mr. President. Committee Amendment No. 1 just provides that copies of dental records rather than the records themselves may be provided to the patient on his or her request, and I would move for the adoption of Amendment No. 1 to House Bill 2189.

PRESIDENT:

Senator Luft has moved the adoption of Amendment No. 1 to House Bill 2189. 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?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by the committee.

PRESIDENT:

Senator Luft on Committee Amendment No. 2.

SENATOR LUFT:

Thank you, Mr. President. Committee Amendment No. 2 provides that the director of R & E shall consider recommendations made by the examining committee regarding professional conduct. A vote of seven-tenths of the committee members requires R & E to adopt the recommendations and the examining committee will advise the director upon request of the administration and enforcement of this Act and the Act becomes effective 1-1-86. I would move for the adoption of Amendment No. 2 to House Bill 2189.

PRESIDENT:

All right. Senator Luft has moved the adoption of Amendment No. 2 to House Bill 2189. 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?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2202, Senator Sangmeister. On the Order of House Bills 2nd Reading is House Bill 2202. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2202.

(Secretary reads title of bill)

2nd reading of the bill. The...no committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge on Amendment No. 1.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What this amendment does is to...make it possible for the regional superintendent of the schools to receive testimony in school...consolidation hearings and receive this testimony and present it as evidence to the regional school trustees for their decision. I'd be very happy to respond to any questions that you might have.

PRESIDENT:

All right. Senator Etheredge has moved the adoption of Amendment No. 1 to House Bill 2202. Discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, I rise in opposition to this amendment. This is

Senator McMaster's bill which is...and Representative Davis from the House supports this legislation as it originally was. The only purpose to do this...what the sponsor of the amendment has not told you is it applies to only one particular petition that is pending in Illinois. All we're asking for in this legislation is to let the law of Illinois as it presently exists apply to all school districts. I think that's a very, very fair position for us to take and all this bill would do would be to try to expedite a hearing. Had his amendment been drafted, that it applies to the law of the State of Illinois as it presently exists, I'd have no...problem with this amendment, but the end of the amendment says that it will be under the applicable law at the time of the filing of the petition which is completely unacceptable to me. I would propose and ask that from both sides of the aisle that this amendment be defeated.

PRESIDENT:

All right. Senator Etheredge has moved the adoption of Amendment No. 1. Senator Etheredge, you wish to close?

SENATOR ETHEREDGE:

Yes, I do. Thank you, Mr. President. The bill as now before you without this amendment effectively closes the door on an consolidation proceeding which has been ongoing for a number of years; in fact, many of you...have been here long enough to require...to...to remember that there have been...efforts in the past to cut off this consolidation proceeding, and you have wisely decided to let the...consolidation proceeding go on. What the amendment would do would be to speed up the...the hearing process so that the consolidation could...effort can take its course...in a more rapid and expeditious manner. I would strongly encourage all of you to vote for the amendment in order that this proceeding can continue. We all talk about school consolidations, now we have the opportunity to...to

take a...positive step to let...let a consolidation take place. So I would ask all of you to vote Aye for this amendment.

PRESIDENT:

All right. Senator Etheredge has moved the adoption of Amendment No. 1 to House Bill 2202. Those in favor of the amendment will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes and 28 Nays. Amendment No. 1 fails. Further amendments.

ACTING SECRETARY: (MR. FERNANDES)

Amendment...Amendment No.

PRESIDENT:

Hold it...hold it, Mr. Secretary. Senator Etheredge.

SENATOR ETHEREDGE:

I'm sorry to do this so early, but I'm going to ask for a verification of the negative votes.

PRESIDENT:

It wouldn't be a Thursday in June without a verification. Senator Etheredge has requested a verification. Will the members be in their seats. Mr. Secretary, the request is for the negative vote.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the negative: Berman. Carroll. Chew. Collins. D'Arco. Darrow. Dignan. Demuzio. Hall. Holmberg. Jeremiah Joyce. Kelly. Lechowicz. Lemke. Luft. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Sangmeister...Poshard. Sangmeister. Savickas. Smith. Vadalabene. Welch. Zito. Mr. President.

PRESIDENT:

(Machine cutoff)...Etheredge, do you question the presence of any member?

SENATOR ETHEREDGE:

...yes, Senator D'Arco.

PRESIDENT:

Senator D'Arco is right by his chair.

SENATOR ETHEREDGE:

Senator Demuzio.

PRESIDENT:

He is seated at my right hand.

SENATOR ETHEREDGE:

Oh.

PRESIDENT:

Sounds a little...majesterial...

SENATOR ETHEREDGE:

...Senator Lemke.

PRESIDENT:

Senator Lemke on the Floor? Telephone booth.

SENATOR ETHEREDGE:

Okay. Senator Carroll.

PRESIDENT:

Senator Carroll on the Floor? Senator Lemke has appeared. Senator Carroll on the Floor? Strike his name, Mr. Secretary.

SENATOR ETHEREDGE:

Senator Welch.

PRESIDENT:

Senator Welch on the Floor? Senator Welch is in the back of the Chamber, Senator Etheredge.

SENATOR ETHEREDGE:

Okay. Senator Marovitz.

PRESIDENT:

Senator Marovitz on the Floor? Senator Marovitz on the Floor? Strike his name, Mr. Secretary.

SENATOR ETHEREDGE:

Senator Netsch.



PRESIDENT:

Senator Netsch on the Floor? Senator Netsch is at the back of the Chamber, Senator Etheredge.

SENATOR ETHEREDGE:

Senator Jeremiah Joyce.

PRESIDENT:

Senator Jeremiah Joyce on the telephone. Right there, the telephone doorway. Senator Carroll is on the Floor, Senator Etheredge. He will be returned to the roll call. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I don't know what...what...we'll verify the affirmative.

PRESIDENT:

All right. There's been a request for a verification of the affirmative roll. Senator Sangmeister has requested a verification. Will the members be in their seats. Mr. Secretary, the request is for the affirmative roll.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Barkhausen. Bloom. Coffey. Davidson. DeAngelis. Donahue. Dudycz. Dunn. Etheredge. Fawell. Friedland. Geo-Karis. Hudson. Jerome Joyce. Karpiel. Keats. Kustra. Macdonald. Mahar. Maitland. Philip. Rigney. Rupp. Schaffer. Schuneman. Sommer. Watson. Weaver.

PRESIDENT:

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

SENATOR SANGMEISTER:

Senator Keats.

PRESIDENT:

Senator Keats on the Floor? Senator Keats on the Floor? Strike his name, Mr. Secretary.

SENATOR SANGMEISTER:

Senator Watson.

PRESIDENT:

Senator Watson on the Floor? Is Senator Watson on the Floor? Strike his...Senator Watson is in the back of the Chamber.

SENATOR SANGMEISTER:

Senator Coffey.

PRESIDENT:

Senator Coffey is back of the Chamber, in the Well.

SENATOR SANGMEISTER:

Senator Kustra.

PRESIDENT:

Senator Kustra on the Floor? He's looking for the other one. Yeah, he's right there. Senator Kustra is here.

SENATOR SANGMEISTER:

Senator Philip.

PRESIDENT:

All right. Senator Philip is in his office. I just spoke with him. He'll be right out.

SENATOR SANGMEISTER:

All right. We'll waive Senator Philip.

PRESIDENT:

Thank you...he is right out. Okay.

SENATOR SANGMEISTER:

We called Senator Watson, I believe...

PRESIDENT:

Yes, he has...he has made an appearance.

SENATOR SANGMEISTER;

Senator Dudycz.

PRESIDENT:

Senator Dudycz is in his chair.

SENATOR SANGMEISTER:

Senator Barkhausen.

PRESIDENT:

Senator Barkhausen on the Floor? Senator Barkhausen on the Floor? He's in the telephone booth, right, doorway. All right. The roll has been verified, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

27 Yeas, 28...27 Nays, tie vote.

PRESIDENT:

All right. Question to the adoption of Amendment No. 1, there were 27 Ayes, 27 Nays. The amendment fails. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Sangmeister.

PRESIDENT:

Senator Sangmeister on Amendment No. 2.

SENATOR SANGMEISTER:

We'll withdraw Amendment No. 2.

PRESIDENT:

All right. The amendment has been withdrawn. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, Senator Etheredge.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Withdraw.

PRESIDENT:

Been withdrawn.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, Senator Sangmeister.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Withdrawn.

PRESIDENT:

Withdrawn.

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

No further amendments. 3rd reading...on the Order of House Bills 2nd Reading is House Bill 2295. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2295.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2249, Senator Hall. On the Order of House Bills 2nd Reading, bottom of page 62, is House Bill 2249. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2249.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1020, Senator Joyce. On the Order of House Bills 2nd Reading, top of page 63, is House Bill 1020. Read the bill, Mr. Secretary. I beg your pardon, I've got a wrong page here. Mine was miscollated apparently. Top of page 63 is House Bill 2310, Senator Darrow. On the Order of House Bills 2nd Reading, House Bill 2310. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2310.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Darrow.

PRESIDENT:

Senator Darrow on Amendment No. 1.

SENATOR DARROW:

Thank you, Mr. President. This amendment specifies that the grants are for the unified delinquency intervention service programs. I know of no opposition. I'd ask for its adoption.

PRESIDENT:

All right. Senator Darrow has moved the adoption of Amendment No. 1 to House Bill 2310. 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?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 2362, Senator Collins. On the Order of House Bills 2nd Reading is House Bill 2362. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2362.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

HB 2408  
2nd Reading

No Floor amendments.

PRESIDENT:

3rd reading. 2378, Senator Karpziel. On the Order of House Bills 2nd Reading is House Bill 2378. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2378.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections and Reapportionment offers one amendment.

PRESIDENT:

Senator Karpziel on Committee Amendment No. 1.

SENATOR KARPIEL:

Thank you, Mr. President. Amendment No. 1 simply adds road district to the...it...what we're doing is asking judges to wear badges with their name on it, and in the legislation as it is, it says, in the ward, township and precinct number; we're adding road district because I guess downstate there are some..election districts that are road districts.

PRESIDENT:

Senator Karpziel has moved the adoption of Amendment No. 1 to House Bill 2378. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2408, Senator Macdonald. (Machine cut-off)...Macdonald 2408? (Machine cutoff)...the Order of House Bills 2nd Reading is House Bill 2408. Read the bill, Mr.

Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2408.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2416. On the Order of House Bills 2nd Reading is 2416. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2416.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2418. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2418.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments...no committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Dunn.

PRESIDENT:

Senator Dunn on Amendment No. 1.

SENATOR DUNN:

Thank you, Mr. President, members of the Senate. This amendment was given to me by the people that...in the kiln gas project down in Senator Vadalabene's district, to be sure that in case the department of...so that the Department of Energy can go ahead and disburse funds in the event that we haven't passed and the Governor hasn't signed the Coal Development Bond Act...the new bill before then. I'd move the adoption of Amendment No. 1.

PRESIDENT:

All right. Senator Dunn has moved the adoption of Amendment No. 1 to House Bill 2418. Discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, just briefly, I'm in support of...of this amendment. Due to the kiln gas project being in the east Alton area in my district, I think it's a very good amendment and it should be adopted.

PRESIDENT:

The question is the adoption of Amendment No. 1 to House Bill 2418. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senators Philip and Dunn.

PRESIDENT:

Senator Philip. Withdraw the amendment, please at the request of the sponsor. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 2472. On the Order of House Bills...2nd Reading is House Bill 2472. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2472.



*203-7-1985  
2nd Reading*

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments...no committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2475, Senator Kustra. On the Order of House Bills 2nd Reading is House Bill 2475. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2475.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Kustra.

PRESIDENT:

Senator Kustra on Amendment No. 1.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Amendment No. 1 has four components. The first component of this deals with the original bill. When it was going through committee there was a problem. The bill provides that absentee ballot applications were to be made available for public inspection from the time they are received by the election authority until thirty days after the election. The County Clerk's Association had a problem with that language because those...those applications are sealed up when the ballots arrive; therefore, the amended language now says that they are available for inspection during the above time except when they are sealed or when they are in the hands of

the election judges. This, then, removes the objection of the county clerks. Also, then...then the bill...the amendment moves on to do three other things. The second thing it does is deal with the verification of voter registration, and what...basically what this provision does is strike from the law the door-to-door in-precinct canvass, specify a non-forwardable mail canvass. The language is still very precise in that any jurisdiction can in fact do a door-to-door in-precinct canvass if they want to provide the details of that canvass to the State Board of Elections and get permission. The third part of the bill, it deals with affidavit voting, what happens when your knocked off the ballot and you're trying to verify the fact that you are who you are. What this says is that a voter may show up at the polls with a piece of mail that would verify the fact that you lived at the address, which you do, and if not that,...that you can use a driver's license or a social security number. And, finally, the bill deals with an inventory of election materials. Again, we passed a bill last year which required the sealing of any containers which hold ballots that have been voted. There was a problem with that particular...piece of legislation. So this amendment provides that in election jurisdictions which use electronic voting systems and in precinct counting, election judges will be denied a receipt for the return of election materials after the close of the polls unless the materials have been inventoried by the election authority and are found to be in order. I would ask for adoption of the amendment.

PRESIDENT:

All right. Senator...Senator Kustra has moved the adoption of Amendment No. 1 to House Bill 2475. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator Kustra, if I may, synopsis says that this bill is

an attempt to revive a bill that was lost in the House last Session or one that remains in the House Interim Study Calendar from the previous Session and neither the County Clerk's Association or...association of municipal boards of elections have...have supported that particular bill, and this amendment tends to...intends to do the same thing. Is that correct?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Senator Demuzio, one of...of the components of this bill is essentially the language of...of a bill which was hung up in the House, yes. I'm not sure which one that is but I...I addressed the four components, one of those was in the House.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, why...why was it rejected over there? I...I...I am told that...that there are some objections to this particular amendment, that it would create more bureaucratic...would create a...bureaucratic nightmare for the...the respective clerks. Perhaps you could enlighten us a little more.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

I can tell you that as far as I know the county clerks are not opposed to this bill. I have as late as a half an hour ago been on the phone with Michael Lavelle from Chicago where we are trying to work out some concerns he has about the bill. I've talked to Senator Nedza who has asked for a specific change in the language, and what I told Senator Nedza is that I think what we have to do is put this on a recall list tomorrow after I've had more of a chance to talk to Mr. Lavelle and address Senator Nedza's problem and then

deal...and if you have additional problems, we'll deal with it then.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in support of Amendment No. 1 to House Bill 2475. There's nothing sinister, surreptitious or bad about a bill that tries to identify people who ought to vote and also try to identify those people who ought not to vote. And that's all that this amendment simply does and, Senator Demuzio, for your information, it's not unusual that there are bills that fail in the House and suddenly show up someplace else. I believe very shortly we will be considering a House bill that I think you have an amendment coming up that is on a bill that passed the Senate rather readily and failed in the House.

PRESIDENT:

Further discussion? Further discussion? Senator...Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. In response to the comments made by Senator Kustra, the last conversation I had with Mike Lavelle is that he is opposing this amendment and I haven't heard anything to the contrary; in fact, he had strong opposition to it. And I know this same bill, as it was pointed out by Senator Demuzio, was defeated in the House of Representatives; and I...I would say, if...if that's the case, maybe we should just hold the bill until tomorrow. I think we still have a little bit of time to address it on 2nd reading, so maybe the Senator might consider holding it till then till we can get this straightened out.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Well, I've already said that I'm willing to put this on the recall list...Mr. Lavelle and I were talking earlier this morning, I said he has some concerns. He wouldn't...he can't live with this bill as it's now written. There is no doubt about that; however, I've had bills at the tail end of House bills 2nd reading...or 2nd reading before and my fear is that I wouldn't get back to it. I'd rather have it on 3rd reading and on the recall list than sitting on 2nd reading where I can't get to it again. So I would urge adoption.

PRESIDENT:

Well, the Chair will just note that no member has ever been denied the opportunity to get to a bill. Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. As cosponsor of this bill, I would like to say that I...I, too, am aware of...of the State Board of Elections' concerns, but like Senator Kustra, I would like to see this bill move on to 3rd reading and have us call it back on recall. We're in the very last hours in trying to move our calendar forward, and I think that we can resolve whatever differences there might be on this bill; and I...like Senator Kustra, there are some very valuable parts of this amendment, and I would ask for your support and we'll bring it back on a recall list.

PRESIDENT:

All right. Senator Kustra has moved the adoption of Amendment No. 1 to House Bill 2475. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 2512. Read the bill, Mr. Secretary. On the Order of House Bills 2nd Reading, House Bill 2512.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2512.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2515, Senator Maitland. On the Order of House Bills 2nd Reading, the bottom of page 63, is House Bill 2515. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2515.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Maitland.

PRESIDENT:

Senator Maitland on Amendment No. 1.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 to House Bill 2515 is in part technical with no substantive change at all, and in another part, it authorizes the department to charge reasonable fees for various permits...issued under the Grade A Milk and Milk Products Act. We passed a similar bill out of this Chamber in a Senate bill and the language there permitted the department to charge fees but they would determine that fee through rules and regulations. This amendment

establishes in the Statutes the fees that will be charged. I move for the adoption.

PRESIDENT:

All right. Senator Maitland has moved the adoption of Amendment No. 1 to House Bill 2515. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you. It's my understanding...we had some questions relevant to this last time or at least I did. In terms of the fees, we're going to establish a twenty-five dollar first-time fee...one...one-time fee for farmers, and we're going to charge milk haulers a hundred dollars, I assume that's on an annual basis, is that correct?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator Demuzio, that's twenty-five dollars per year for the haulers, twenty-five dollars.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, it's a hundred dollars one-time fee then for farmers. Isn't that correct?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator, I think there may be some confusion over what dairy. As this is the...this is the...the...the dairy itself, not...not...where the milk is processed, a hundred dollars a year.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, then, one final question then. Are we not charging

the farmers a one-time fee of some monetary value for the permit process? Is that correct?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator, I...as far as I know, we are not.

PRESIDENT:

All right. Any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I...I think we are, but you want to put it on, we'll take a look at it later.

PRESIDENT:

Senator Maitland has moved the adoption of Amendment No. 1 to House Bill 2515. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Maitland.

PRESIDENT:

Senator Maitland on Amendment No. 2.

SENATOR MAITLAND:

Thank you, very much, Mr. President. This is a...is an amendment that was suggested by the Department of Agriculture to clarify that raw agricultural commodities except for those which are...for direct human consumption are not subject to...to the provision. If the State of Illinois were to have the power and authority to set the tolerances in the pesticides, they would...would allow all State...it's...it's possible that all states would had different tolerance levels, and it could very seriously hurt the export industry and we feel this is an area that should be determined by the Federal Government. I would move for its adoption.

PRESIDENT:

All right. Senator Maitland has moved the adoption of



Amendment No. 2 to House Bill 2515. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. All right. It's the intent of the Chair to return now to the Order of House Bills 2nd Reading, back at the beginning, so we'll start with House...on page 58. In the...in the meantime, Senator Philip has...Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFER:

To request a Republican Caucus immediately in Senator Philip's Office.

PRESIDENT:

All right. That request is in order. The Senate will stand in Recess until two o'clock for the purpose of a Republican Caucus. Senator Vadalabene.

SENATOR VADALABENE:

Yes, Mr. President, I'm calling a Democratic Caucus in your office immediately.

PRESIDENT:

All right. There will be a Republican...Caucus in Senator Philip's Office and a Democratic Caucus in the President's Office immediately, and we will Recess until two o'clock. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I stand on a point of personal privilege, if I may.

PRESIDENT:

State your point.

SENATOR SMITH:

Just before we Recess for our caucus, I'd like to recognize the young ladies that are in our gallery visiting us

today. They are from...Girl's State and they have come to our Legislature to visit with us today. Their director is Mrs. Virginia Holt and their State president is Mrs. Angeline Powell of the American Legion. It was my privilege to be in attendance with them last night at...MacMurray College and we just want to greet them and say hello to them.

PRESIDENT:

Yes, will our young ladies from Illinois State...Illini State please stand and be recognized. Welcome to Springfield, and to all of you who are candidates, good luck in the election. All right. The Senate will stand in Recess until the hour of two o'clock. There will be a caucus in the leader's office for each party immediately.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will please come to order. If I can have the attention of the membership, in order to afford the necessary time to get everybody here and talk about different pending amendments, we will start instead on the Order of Recalls and we'll go through the recall list. So I would ask those members who have filed amendments for House bills on 3rd reading...the list has been distributed, Sangmeister, Lenke, Savickas, Barkhausen, Schuneman, Vadalabene, Berman, D'Arco, Deguan, Topinka and on down the list. If we can handle those with some dispatch, we will then return to the Order of House Bills on 2nd Reading. All right. With leave of the Body, we'll move to the Order of House Bills 3rd Reading for the purpose of recalls, then we will stay on House bills 3rd reading, Senator Vadalabene has a bill of an emergency nature that it is necessary to pass and...and have the House's concurrence and the Governor's signature by this weekend. I

would ask you to take a look at that at your leisure, House Bill 981, as I am told, a bill of an emergency nature which we will go to...immediately after recalls. On the Order of House Bills 3rd Reading, the middle of page 7, is House Bill 231. Senator Lenke seeks leave of the Body to return that bill to the Order of 2nd Reading for purpose of an amendment. Is leave granted? On the Order of House Bills 2nd Reading is House Bill 231, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Sangmeister and Lenke.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, this amendment was asked for by the Department of Corrections because their House Bill 1918 got diverted to another use. This puts back in 1918 except it strips out any reference to the Department of Corrections doing any printing. So what it amounts to, it's to allow correctional industries to expand their customer base through lease of goods. Move for its adoption.

PRESIDENT:

All right. Senator Sangmeister has moved the adoption of Amendment No. 2 to House Bill 231. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Same page, page 7, on the Order of House Bills 3rd Reading is House Bill 242. 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 House Bills 2nd Reading,

AB 264  
Recalled

House Bill 242. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Sangmeister.

PRESIDENT:

Senator Sangmeister on Amendment No. 2.

SENATOR SANGMEISTER:

Yeah, originally before we had the 2nd reading on 2202, I felt that that concept should be put into 242 as well, and that is the grandfather clause be eliminated and I move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister moves the adoption of Amendment No. 2 to House Bill 242. 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. House Bill 264. Senator Lemke seeks leave of the Body to return House Bill 264 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 264, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This is a amendment requested for by the realtors to correct a technical problem in the area of forceable detainer. I think...I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Amendment No. 2 to House Bill 264. Is there any discussion? If not, those

*AB-344  
Read*

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. 272. Senator Lemke seeks leave of the Body to return House Bill 272 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, 272, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Amendment No. 2 would just add on line 14, "Any educational requirement apart from any bar examination requirement shall be deemed satisfied upon completion of ten years of service as a Senator or Representative or both in the Illinois General Assembly." I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas moves the adoption of Amendment No. 2 to House Bill 272. Is there 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. 344. Senator Barkhausen seeks leave of the Body to return House Bill 344 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bill 2nd reading, 344, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to House Bill 344 makes a slight change in the incorporation portions of the Municipal Code to permit an area with at least eighteen hundred persons to have a small opportunity to incorporate for thirty days after the effective date of this amendatory Act. I've discussed it...we've discussed it with the staff on the other side and with the Illinois Municipal League and I know of no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen moves the adoption of Amendment No. 1 to House Bill 344. Is there 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. House Bill 360. Senator Sangmeister seeks leave of the Body to return House Bill 360 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 360, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you. This Body, by a very substantial vote, sent the exclusionary rule over to the House, it never got out of the House Committee, we're now putting it into this

bill. Move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister moves the adoption of Amendment No. 1 to House Bill 360. 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. 398, Senator Joyce. Senator Joyce seeks leave of the Body to return House Bill 398 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 398, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Amendment No. 2 simply makes it very clear that any group hospital care plan or group medical and surgical plan established under this section shall not be construed to be a pension as guaranteed by the Constitution of the State of Illinois. Move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman moves the adoption of Amendment No. 2 to House Bill 398. 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. Senate bill...House Bill...474, Senator Berman. Senator Berman...well,...Senator Vadalabene.

SENATOR VADALABENE:

There is no amendment...but it's on recall and I do want to make a statement in regard to that 450.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. House Bill 450, Senator Vadalabene, what's your pleasure?

SENATOR VADALABENE:

All right. Thank you, Mr. President and members of the Senate. Since I took the sponsorship of House Bill 450, there's been a lot of criticism on the bill not being heard in the Elementary and Secondary Committee. As you well know, the bill came to us and we amended it in the Executive Committee. At that time there was a request for me...no, from Senator Rock to have that...bill rereferred to Secondary and Elementary Committee of which time I opposed, not realizing that the roof was going to cave in on me from several different associations. What I would like to do at this time is to rerefer that bill to the wishes in the Executive Committee to the Committee on Secondary and Elementary for further study. This is a drastic change and I think it should be heard by that committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene has made a motion to rerefer House Bill 450 which is on the Order of 3rd Reading to the Committee on Elementary and Secondary Education. Is leave granted? Senator...Senator...Senator Keats.

SENATOR KEATS:

Yeah. Would I...would I be out of place in saying, having worked with Senator Vadalabene and some others on the bill, you know, these bills go to different committees all the time, I...I've seen some in odd committees. I'd be more than happy to take the sponsorship. I don't see any reason to rerefer to a committee that...it's already passed out of another committee...



PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SENATOR KEATS:

...you could give it to one...the rest of us, I would accept sponsorship.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats, there...under our rules, on a motion to recommit, it's debatable only to the merits of the recommitment and it just seems to me that...Senator Keats.

SENATOR KEATS:

...I was speaking to the merits. I understand the problem. I would oppose recommitment and would be willing to take the sponsorship, but I oppose the recommitment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, it's...it's always been my experience in the eleven years that I have been here that when a sponsor makes a motion on his bill to take the appropriate action, it seems to me that we...we have never traditionally that I know of...in my experience, we...we've never done that. Senator Keats.

SENATOR KEATS:

The problem being, and it was an accident, originally, I was suppose to have been the sponsor of the bill and there was an accident on that. I am...that's what I'm saying, if Senator Sam wants to send it back, I...I won't object. What I am saying is, I would object short-term...say, I will accept sponsorship of the bill; if you want to do it the other way, I'll go along. All I am saying is, I'll offer to take the sponsorship.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene has moved to recommit House Bill 450 to the Committee on Elementary and Secondary Education. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. House Bill 450 is recommitted to the

Committee on Elementary and Secondary Education. 474, Senator Berman. Senator Berman seeks leave of the Body to return House Bill 474 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bill 474, Order of 2nd Reading, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. In Amendment No. 1 that we adopted the other day, there was the provision regarding the...fees to be charged for service of process by sheriffs, coroners or other persons. It's been called to our attention that sheriffs and coroners and others...sheriffs and coroners have their fees set by Statutes so that that wording is incorrect. So we're taking...Amendment No. 2 just strikes the sheriffs and coroners, so we're just limiting it to private process servers. I move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman moves the adoption of Amendment No. 2 to House Bill 474. 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. 521. Senator Barkhausen seeks leave of the Body to return House Bill 521 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 521, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to House Bill 521 seeks to clarify the immunity that the bill attempts to grant to municipalities in the area of antitrust. The amendment is being offered at the suggestion of the Illinois Association of Realtors. I know of no opposition to it and would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen moves the adoption of Amendment No. 1 to House Bill 521. 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...no further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 563. Senator D'Arco seeks leave of the Body to return House Bill 563 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading,...563, Mr. Secretary.

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 provides that all accounts of the condominium association that are managed by a management company shall have a separate account for each reserve fund that the management company is managing. It also provides that until one year after the effective date of the amendatory Act of 1985, if an association has reserves plus assessments in excess of two hundred and fifty thousand

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Recall

and cannot reasonably obtain one hundred percent fidelity bond coverage, then it must obtain a fidelity bond coverage of two hundred and fifty thousand after this one-year grace period which would expire one year after the effective date of this Act. I don't know of any opposition to this. It is necessary because of the legislation we passed last year in order to clean it up, and I would move to adopt Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco moves the adoption of Amendment No. 1 to House Bill 563. 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. 831. Senator Barkhausen seeks leave of the Body to return House Bill 831 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 831, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to House Bill 831 is the substance of Senate Bill 644 which passed the Senate 46 to 9 and was never called in two meetings that I sat through in the House Judiciary Committee. Senate Bill 644 and this amendment deals with fees paid to witnesses including crime victims who testify or called upon by a state's attorney to testify in court. Essentially, the...the bill and this amendment provide for a maximum of fifty dollars per day for such a witness, less the amount that a

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witness would receive as a...as a...court per diem and up to a maximum, as I say, of...of fifty dollars covering lost wages, but that...that is the maximum of fifty dollars. I'd be happy to answer any questions or...or discuss it, but that is the essence of the amendment and the original bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen moves the adoption of Amendment No. 1 to House Bill 831. 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. 880. Senator Degnan seeks leave of the Body to return House Bill 880 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 890, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 1 amends the Section 20 of the Revenue Act, closes a loophole for property tax avoidance in Cook County that developed under the Forestry Development Act which was enacted by this Body as Prairie State Two Thousand. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Degnan has moved the adoption of Amendment No. 1 to House Bill 880. Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I...could you give me a little more detail on this amendment. We've not had the...I've not seen it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Sure. Under Prairie State Two Thousand, the Forestry Development Act became part of our law. That Act has served to cause some tax...real estate taxpayers and speculators in Cook County to take advantage of the Forestry Development Act even though there is no forest in Cook County, and therefore,...avoid certain taxation on property tax matters there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

All right...a copy of the amendment was just put in my hands, we'll...we'll have to take a closer look at it. Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Degnan has moved the adoption of Amendment No. 1 to House Bill 980. Further discussion? 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. 964. Senator Topinka seeks leave of the Body to return House Bill 964 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 964.

SECRETARY:

Amendment No. 1 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 1 is an agreed to amendment which puts the Department of Rehabilitative Services into the Act as per agreement so as to be part of a central management services group that would be deciding upon...how to handle products and services of people that this board would control.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka has moved the adoption of Amendment No. 1 to House Bill 964. 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. 971. Senator Barkhausen seeks leave of the Senate to return House Bill 971 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 971.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to House Bill 971 is identical to Senate Bill 646 with one amendment. This is the...a bill that makes it a crime to deal in stolen property and also creates a new business offense of possession of altered property. We passed the bill out of here 53 to 1 with an understanding that it would be amended to remove those sections of the bill dealing with so-called prima facie evidence created...would have created a presumption that under certain circumstances these particular crimes had been

committed. We have...pursuant to our understanding, we have...we have put that amendment or made that change in this particular amendment, so there should be absolutely no opposition to this amendment. As I say, the bill with that understanding originally passed 53 to 1 and, therefore, I would move the adoption of this particular amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen moves the adoption of Amendment No. 1 to House Bill 971. 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. 1034, Senator Welch. 1111, Senator Zito. Senator Zito seeks leave of the Body to return House Bill 1111 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd Reading, 1111, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 2 offered by Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Amendment No. 2 to House Bill 1111 was strangely enough suggested by the Governor's Office, and the first time I've been in the General Assembly, I have agreed to it. It's a clarifying amendment and it changes the Governor's Office of Planning and...inserts the Bureau of the Budget, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito has moved the adoption of Amendment No. 2 to House Bill 1111. 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. 1410, Senator Marovitz. 1410 on the recall list. 1413, Senator Lemke. All right. On the Order of...of Recalls is Senator Lemke seeks leave of the Body to return House Bill 1413 to the Order of...Senator Marovitz, for what purpose...all right. Senator DeAngelis, for what purpose do you arise? Senator DeAngelis.

SENATOR DeANGELIS:

Mr. President, a very, very obvious one, the amendment proposed on 1410 is my amendment. Senator Marovitz is on the Floor. I asked him if he would give consideration to bringing this bill back. I would like to have some...since he is present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator...Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President, members of the Senate. I...I have not seen an amendment to 1410. No one has talked to be...talked to me about an amendment on 1410...there's been no negotiations to my knowledge. I haven't been a party to them, and as the sponsor of the bill, I said I would give consideration to that. You can't...very well give consideration to an amendment that you haven't seen and no one has discussed with you. So, as far as I'm concerned, the bill should remain on 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator DeAngelis, the sponsor has indicated he does not wish to call it back. Senator DeAngelis.

SENATOR DeANGELIS:

Well, generally, there is a courtesy extended to someone

who...who proposes an amendment unless it's otherwise indicated. And,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SENATOR DeANGELIS:

...Senator Marovitz, I've come over there a couple of times and you've been studiously caucusing and I've tried not to intrude when other Democrats are meeting for whatever purposes they meet.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator, it seems to me that maybe we ought to...maybe you ought to...try another satchet over there and see what else you can do. Senator DeAngelis.

SENATOR DeANGELIS:

Well, if I satchet over there and show him this very simple amendment, can we come back to this and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

I...I...that's...I have no idea where we're going after this. You'll have to speak with the Senator about it. Senator...Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I would like permission from the Chair to do so, I realize I have to talk to the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the Chair is not in the position to ask the gentleman to recall his own bill. If you wish to ask that question of Senator Marovitz, I would be delighted to give you the time. Senator DeAngelis.

SENATOR DeANGELIS:

Are...are you saying then, that if...that you will recall it if we sit down and...show him the amendment and so forth?

PRESIDING OFFICER: (SENATOR DEMUZIO)

I am...I am saying to you that if...is there leave of the Body to go back to House Bill 1410 later this afternoon?

There's objection. Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...that...that just goes to show you the quality of the negotiations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On the Order of House Bills...recall is House Bill 1413. Senator Lemke seeks leave of the Body to return House Bill 1413 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill...1413, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Is this the amendment which talks about the Supreme Court?

SECRETARY:

Deleting line 17...you want me to give you the LRB number?

SENATOR LEMKE:

Yeah.

SECRETARY:

...LRB8404494EGCHAM.

SENATOR LEMKE:

What Amendment No. 2 does is deletes the Supreme Court membership as we passed the bill out, Senate Bill 345, Senator Netsch had, but the bill didn't survive the committee system in the House. So I ask...it was unanimously passed by the Senate. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Amendment No. 2 to House Bill 1413. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it.

HB 1474  
Revised

Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Well, it was pointed out to me by the State's Attorneys' Association that in...in the Criminal Justice Information Commission system, we give DuPage County State's Attorney and Cook County State's Attorney but we do nothing for the downstate state attorneys. So what this bill does is gives the director of the State's Attorney Appellate Service Commission power to appoint one member to the Criminal Justice Information Commission to represent those downstate counties. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Amendment No. 3 to House Bill 1413. 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. 1474. Senator Newhouse seeks leave of the Body to return House Bill 1474 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 1474.

SECRETARY:

Amendment No. 2 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I believe we have to take care of a little order of business first before this can happen.

So I would defer back to the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I rise to Table Amendment No. 1 in order for...for Amendment No. 2 to go on. I ask leave of the Body to Table the Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Newhouse moves to...having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was adopted. Those in favor signify...of saying Ayes...Aye. Opposed Nay. The Ayes have it. The motion is reconsidered. Senator Newhouse now moves to Table Amendment No. 1 to House Bill 1474. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

END OF REEL

REEL #2

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 virtually takes care of most of

our...our concerns regarding this bill. It...it applies to AFDC only which is the people with just...with children and all reference to general assistance has been eliminated from this bill. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Donahue has moved the adoption of Amendment No. 2 to House Bill 1474. 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. House Bill 1567. Senator Watson seeks leave of the Body to return House Bill 1567 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 1567.

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. The amendment is a technical amendment. Sections were removed in the Act that were...should not have been and this just corrects that. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Watson moves the adoption of Amendment No. 1 to House Bill 1567. 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:

Amendment No. 2, by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, again. This is another clarification amendment. It simply says...it defines exactly what is to be fined and what the surcharge is going to be based upon. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Watson has moved the adoption of Amendment No. 2 to House Bill 1567. 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. House Bill 1641. Senator Maitland seeks leave of the Body to return House Bill 1641 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 1641, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 to House Bill 1641 is an amendment that's brought to me by the municipal league and Treasurer Donnewald's Office, and really, I guess, one might say it's clarifying language in that it...it resolves a controversy which centers around whether the purchase agreement is a securities transaction or whether it is...collateralized loan...the Treasurer had indicated that this was a...a necessary amendment, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Maitland has moved the adoption of Amendment No. 1 to House Bill 1641. 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. 1763, Senator Netsch. Senator Netsch on the Floor? 1850, Senator Jeremiah Joyce...Senator Jeremiah Joyce seeks leave of the Body to return House Bill 1850 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 1850, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank...thank you, very much, Mr. President. This is a...just some clean-up language for DuPage County. It only is for DuPage. It allows counties to receive an equitable relief from the court where a landowner has improperly filled a flood plain by placing a lien on the property for the cost to remove the fill. The second thing it does is set forth procedures to handle abandoned cars by notifying the owner and then removing them, and then, third, allows the Zoning Board of Appeals in DuPage to appoint a hearing officer for variations of less than ten percent of the bulk requirement of the Zoning Code, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell has moved the adoption of Amendment No. 1 to House Bill 1850. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have. Amend-



*HB 1902  
Recalled*

ment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, 1902, Senator Barkhausen. Senator Barkhausen on the Floor? 1902. Senator Barkhausen seeks leave of the Body to return House Bill 1902 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 1902, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 2 makes Illinois law on soliciting of accredited investors consistent with the Federal law. It deals with a certain category of offerings which are described as to offer...to...prospective purchasers that have one million dollars of net worth or two hundred thousand dollars income or purchases of over a hundred and fifty thousand dollar minimum. Move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Berman has moved the adoption of Amendment No. 2 to House Bill 1902. Is there 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. All right, Senator Netsch is on the Floor now. With leave of the Body, we'll go back to the first page

and pick up 1763. Is leave granted? Leave is granted without objections. On the Order of...of Recalls, Senator Netsch has sought leave of the Body to return House Bill 1763 back to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1763, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The amendment, as I recall, was suggested by several members of the committee at the time the bill was heard. It deals with the operation of vending machines in...by those who are part of the...State Blind Program at...on State highways...in rest areas on State highways, and the amendment is...is intend to, I think, clarify that we're talking about privately owned vending machines and to make it clear that the State is not compelled to enter into contracts when there is not somebody who is...obviously, qualified for it, and so it changes "shalls" to "may" in several places, and that, I believe, is the intent of it. It...in effect loosens the restrictiveness of it. I would move the adoption of Amendment No. 1 to House Bill 1763.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Netsch has moved the adoption of Amendment No. 1 to House Bill 1763. 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. All right, page 2, turn the page, 1924. Senator Watson seeks leave of the Body to return House Bill

1924 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1924, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is a Department of Conservation amendment and I believe this bill is going to end up being...probably a Christmas tree before it's all said and done, but it's a transfer of land and it changes from a hundred and forty acres...140.93 acres to a 141.01 acres. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson has moved the adoption of Amendment No. 1 to House Bill 1924. 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:

Amendment No. 2 offered by Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank...thank you, Mr. President and members of the Senate. Amendment No. 2 to...House Bill 1924 would exchange a hundred and fifty-three acres of land known as Rock Ends Creek...a undeveloped tract that was purchased by the Department of Conservation several years ago. This amendment is offered by the Department of Conservation. It would give an exchange of property for property to be a...of the equal appraised value to a stone company in Monroe County. That's the first part of the amendment. The second part of the amendment has to do with Senator Luft's district and he isn't

on the Floor. It's a hyphenated...he and I are hyphenated sponsors of the amendment, and it would convey thirty-three acres of land in the...to the Village of Forrest City for purposes of a park at no money, but...it's being leased now by the park for a dollar a year, and it would say that in the event the property is not used for park purposes, it would revert to the State. I'd moved for the adoption of Amendment No. 2 and answer any questions you might have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Dunn has moved the adoption of Amendment No. 2 to House Bill 1924. 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:

Amendment No. 3, by Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President and members of the Senate. Amendment No. 3 to House Bill 1924 was suggested and given to me by Central Management Services. It has to do with two tracts of land in Union County that have been offered for sale twice by the department. They were offered by sale on public auction on November the 16th, 1984 and again on May the 31st, 1985. Neither property sold, so it's suggested in this amendment that they reduce the appraised value to three hundred dollars an acre and they think that then they can sell it and...I'd ask approval...I'd be...glad to answer any questions and ask approval of...of...adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn has moved the adoption of Amendment No. 3 to House Bill 1924. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amend-

HB 1928  
Recalled

ment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1928. Senator Coffey seeks leave of the Body to return House Bill 1928 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 1928, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Rigney.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, the amendment here to House Bill 1928 is actually the former House Bill 940. At the time it was heard in the Transportation Committee, it was objected to by the Department of Transportation. What it proposed to do was to allow local units of government the first chance to buy any used equipment from the Department of Transportation. About the time that that hearing had concluded, I found out from the department what their objection was and under the plan, of course, they would not have received the money for the sale of these used vehicles. They suggested that if I were to draw up an amendment that said that that money would flow back into the Road Fund, they would then remove their objection. They did that and I took that action, and then I talked with Chairman Nedza about this and, of course, we had missed the train in the...in the Transportation Committee, and he suggested that we attach this as an amendment to House Bill 1928, and that's what we have done with this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rigney has moved the adoption of Amendment No. 1 to House Bill 1928. Is there any discussion?

7/13/88  
Recalled

If not, those in favor will 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. 1958. Senator Dunn seeks leave of the Body to return House Bill 1958 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bill 1958, on the Order of 2nd Reading, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. Amendment...No. 3 was offered...was brought to me by the Department of Conservation and provides that the stumpage value of wrongfully cut trees would be determining by averaging three independent...appraisals secured by the Department of Conservation. I'd move the...adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Dunn has moved the adoption of Amendment No. 3 to House Bill 1958. Is there 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. 2188. Senator Marovitz seeks leave of the Body to return House Bill 2188 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is

granted. House bills 2nd reading, 2198, 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. Amendment No. 1 to House Bill 2188 would permit certified teachers who are seventy or older to be substitute teachers in the City of Chicago only. It...it's only permissive and allows seventy or...or over to be substitute teachers should the situation arise, and I would ask for the adoption of Amendment No. 1 to House Bill 2188.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Marovitz has moved the adoption of...Amendment No. 1 to House Bill 2188. Is there 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. 2434, Senator Maitland. Senator Maitland seeks leave of the Body to return House Bill 2434 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 2434, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Floor Amendment No. 2 to House Bill 2434 authorizes the

Department of Central Management Services to convey by quit-claim deed for the sum of one dollar approximately fifteen acres of land to the Village of Maryville to be used for public purposes. If the land is not used for public purposes, it shall revert to the State. This has the approval of the Illinois Department of Transportation and is supported by Central...Management Services, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Vadalabene has moved the adoption of...Amendment No. 2 to House Bill 2434. 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. 2437, Senator Keats. Apparently we do not have the amendment as of yet, Senator Keats. 2499, Senator Lemke. Senator Lemke seeks leave of the Body to return House Bill 2499 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 2499, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lemke and Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is...is the recommended by the Governor's Office to clean up some problems they had...with technical problems they had with the bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lemke has moved the adoption of Amend-



ment No. 1 to House Bill 2499. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?...further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, we've now completed the recall list. We will now go to the...Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Well, I would request that Senator Marovitz reconsider his position in not allowing me to attempt to put the amendment on House Bill 1410.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, it's not the...it's not the prerogative of the Chair to...to do that. As a matter of fact, had your amendment not been filed, this bill would never have been on the recall list anyway. It is the sponsor's prerogative if he wishes not to bring it back and, therefore, we are going to the Order of...House Bills 2nd Reading, page 58. With leave of the Body, we'll go there. All right. Senator...Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Just a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR MAROVITZ:

With respect to...to Senator DeAngelis' question. I would apologize to Senator DeAngelis. The amendment was on my desk. We had never discussed it...discussed the substance of the amendment, but the amendment was delivered to me and I would apologize to Senator DeAngelis, because I didn't realize that it was delivered although we did not discuss it.

In...in reference to...to what goes on here generally in terms of courtesy, there are two sort of conflicting courtesies regarding the...the procedures in the Senate. Number one, it's always been the sponsor's prerogative to have his bill in shape, in the order that he would like it called. On 2nd reading, when the bill is there and it lays on 2nd reading, any member has the right to file an amendment on 2nd reading. When the bill is on 3rd reading and it's going to be recalled, it is not generally the courtesy to recall a sponsor's bill and have a sponsor recall his bill when he knows that the purpose for which that bill is being recalled is to, in fact, gut the merits of his bill. I don't know very many sponsors that would call a bill back to 2nd reading in order to have a vote on gutting his bill. That is what the recall would be done. The bill was on 2nd reading, an amendment could have been filed anytime while the bill was on 2nd reading, it was not. It came up in the general order of procedure. It was moved to 3rd because no other amendments were filed. The amendment would, in fact, gut my entire bill and, therefore, I do not want the bill recalled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...all right, it...it seems to me, ladies and gentlemen, we're...we're go to serve a dilatory exercise here because...Senator DeAngelis.

SENATOR DeANGELIS:

Well, for the last time, Senator Marovitz, your recollection that...is kind of faint. One, you didn't remember that the amendment...and I handwrote a note on the amendment to you, it was presented to you two days ago, but you also don't recall that when the bill was on 2nd, I did ask you for consideration and did not attempt to block the movement to 3rd in light of that consideration. Now, you can choose not to give me that consideration; however, I can still say that the act is rather discourteous and not very

HB 52  
2nd Reading

kosher.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...all right, we are now...we are on the Order of House Bills 2nd Reading, page 58, House Bill 48, Senator Luft. Senator Luft on the Floor? 52, Senator Marovitz. On...on the Order of House Bills 2nd Reading is House Bill 52, Mr. Secretary, read the bill.

SECRETARY:

House Bill 52.

{Secretary reads title of bill}

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 59, turn the page, House Bill 53, Senator Marovitz. House bills 2nd reading, House Bill 53, Mr. Secretary, read the bill.

SECRETARY:

House Bill 53.

{Secretary reads title of bill}

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 142, Senator Bloom. 157, Senator Davidson. 296, Senator Bloom. Senator Donahue, for what purpose do you arise?

SENATOR DONAHUE:

Yeah, a point of order, please. It was my understanding there was to be an amendment to...to House Bill 52.

HB 300  
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Donahue, would restate your point?

SENATOR DONAHUE:

...I was under the understanding there was a...an amendment to House Bill 52.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I've just talked to the Department of Children and Family Services and they're...they do have an amendment prepared. They're running it through everybody. We just...he just left me, I...we'll recall the bill tomorrow when they run it through everybody and get an agreement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Page...59, 300...House Bill 300. On the Order of House Bills 2nd Reading is House Bill 300, Mr. Secretary, read the bill.

SECRETARY:

House Bill 300.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Rigney, Philip and Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rigney.

SENATOR RIGNEY:

Mr. President, to make it simple as to what's contained in Amendment No. 1, you probably remember that there was a bill called House Bill 2036 and what we're really doing with the proposed the Amendment No. 1 is simply removing everything in the original bill and substituting the language from

2036 into the 300 bill. I think it's probably a better approach as far as community right-to-know is concerned. It does, for instance, require emergency and contingency planning that is not really required as a part of House Bill 300. I think probably a lot of the folks back home just assumed that that was going to be a major feature of any community right-to-know legislation that we would have, and the fact that that's missing is something that, frankly, I've never quite understood about House Bill 300. This, I think, most of you are aware, is the version of community right-to-know that is basically supported by the various business groups throughout the State of Illinois. It rolled out of the House in good shape, in fact, I think with only just a handful of dissenting votes, in sharp contrast to the way the 300 emerged from the House. So, I guess there's not a lot more to say about it. The issue is pretty clear. We just wanted a chance...since we did not get a chance to vote on 2036 in the committee, we thought maybe you'd like to have a chance to vote on it on the Floor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

What makes you think that, Harlan? All right, Harlan...Senator Rigney has moved the adoption of Amendment No. 1 to House Bill 300. Is there any discussion? Senator Rock. Oh, Senator Joyce. I'm sorry, who wishes to speak first? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I just want to comment that...Senator, you said you did not get a chance to vote on it. You didn't ask for a chance to vote on it in committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to Amendment No. 1 to House

Bill 300. Amendment No. 1, as I understand it, incorporates that which was in a...House Bill 2036 which is truly a totally different approach to community right-to-know. House Bill 300 has undergone substantial revision since introduction two years ago and it's...an attempt has been made really to work with the interest groups and with the business community to put into effect a law...concerning which we can all be proud, and I suggest that House Bill 300, as it will be amended, because I have...an amendment filed which is as...the result of some...very lengthy negotiations between the chemical industry and the staff of...of both Houses. The question really is do we as a matter of public policy want a Community Right-To-Know Act, and if we do, then it seems to me that House Bill 300 is the way to go, because I think we all recognize, as House Bill 300 says, that the citizens of Illinois have a fundamental right and a need to know the potential hazards of priority chemical substances, and those substances are laid out. There are eighty-two of them listed and what it says to the business community and not all of the business community but only those members of the business community which are required to obtain a permit from the EPA that you will have to do six things and submit a report where you will have to list...for public inspection list with the EPA for public inspection and list to the extent that the EPA can then compile this information and forward it to the county executive and the local public health departments and members of the General Assembly. I think 300 has been worked and overworked to the point where it is now in substantially good shape and should be subject to a virtual unanimous vote, but instead, we now get Amendment No. 1 which brings us right back to the old do nothing bill, and I suggest that we strongly defeat Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, Channel 20 has requested permission...to

tape. Leave granted? Leave is granted. Further discussion?  
Senator Rigney may close.

SENATOR RIGNEY:

Well, to sum it up, Mr. President, I think really when we look at it, House Bill 300 in its present form is masquerading as a community right-to-know bill that requires Illinois industry, we feel, to needlessly spend thousands of dollars to comply with the requirements and probably is going to cost Illinois industry many jobs. It requires about seven thousand Illinois businesses and industries to track approximately eighty chemicals and compounds that are not covered by either the current Federal standards or the Illinois EPA requirements. I think unlike House Bill 300, 2036 does require industry to prepare and make available these emergency contingency plans, and I think as a bare minimum, everyone expected that that was going to be a part of community right-to-know, and as I said in my opening remarks, we're very silent on that issue of contingency plans in the event that there's some type of a chemical emergency. We feel that 2036 does present the...the alternative that is needed in this particular area. The information collected by it will be available to the public in each county individually, and the on-site emergency plan also is available to the public in addition to the local emergency service agencies. I think we're going to the heart of the problem with 2036, unlike 300, and so, therefore, now that you do have a chance to vote for the bill that I think has been agreed to by all of the people in industry and by those who have a concern about true community right-to-know, I think you will probably appreciate the chance to cast a vote on House Bill 2036 and so I ask for your...support for Amendment No. 1 and, Mr. President, I would like to have a roll call vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rigney has requested a roll call vote.

Senator Rigney has moved the adoption of Amendment No. 1 to House Bill 300. 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 28, the Nays are 31, none voting Present. Amendment No. 1 fails. Senator Rigney, for what purpose do you arise?

SENATOR RIGNEY:

...verify.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney has requested a verification of the roll call. Senator Rigney, in what respects? The Ayes or the Nays or the Presents?

SENATOR RIGNEY:

Well, verify the negatives.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, Senator Rigney has made a request to verify the negative vote. The Secretary will slowly 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, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lenke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney,...I can't even see you. You...do you request...do you request the presence of...of any member who voted in the negative? Senator Rigney.

SENATOR RIGNEY:

Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is Senator Berman on the Floor? Senator



Berman on the Floor? There he is, he's on the Floor. Senator Berman is here. Senator Rigney.

SENATOR RIGNEY:

Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones on the Floor? Senator Jones on the Floor? Strike his name. Oh, Senator Rock, for what purpose do you arise?

SENATOR ROCK

Point of order. Now the gentleman hit a home run last night and he hasn't walked as quickly since, so I...maybe we could afford him a little time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SENATOR RIGNEY:

Okay, is...Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Carroll on the Floor? He hit a home run too. Senator Carroll on the Floor? Strike his name.

SENATOR RIGNEY:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz is on the Republican side. Senator Rigney,...do you...Senator Rigney, do you question the presence...

SENATOR RIGNEY:

...yeah, Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz. Standing right here in front. All right.

SENATOR RIGNEY:

Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas on the Floor? Senator Savickas on the

Floor? Well, Senator, Senator Jones has arrived so restore his name. Senator Carroll has arrived, restore his name. Senator Savickas on the Floor? Senator Savickas is at the door for a quick exit. Senator Rigney, you question anyone else? All right on that question, on the verified roll call, the...the...28 Ayes, 31 Nays, none voting Present. Amendment No. 1 fails. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 is an attempt to accommodate particularly the chemical industry who were concerned about the estimated reporting that has...is to be required under House Bill 300. We took those concerns very seriously because, as I indicated in committee as I would do...upon Senator Rigney's inquiry that, yes, indeed, we expect the companies to make every good faith effort to comply and, indeed, they do wish to comply. As a matter of fact, I read in the Chicago...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator Rock. Can we have some order, please. This is a very important subject. Senator Rock.

SENATOR ROCK:

...I read in the Chicago Tribune not so very long that the chairman of the Monsanto Chemical Company from Sauget, Illinois, endorsed House Bill 300 and, further, with this amendment representatives from that company have been involved in this. This makes...the amendment makes some technical changes in the bill and it clarifies the situations where reporting really is not feasible and it provides exemptions for minimal levels, adds a more limited definition of business and allows an affidavit in place of annual filing if

no changes have occurred and makes various other technical changes. This amendment has been subject to some lengthy discussions between Representative McPike and the members of...of my staff, and I know literally of no objection and I would urge the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

Would you be...are you saying, Senator, that by this amendment...let's strike that. One of the criticisms I had about House Bill 300 was the fact that the big companies can handle themselves under...House Bill 300, but it's the small companies that would have had...quite a burden to try and comply with it. Now, are you saying, Senator, that you...by your amendment, that you have taken out the...the rigorous provisions that would affect the small companies?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

My understanding is that one of the objectives of this amendment is to totally eliminate the...those small companies from the provisions of this bill. So, in...the answer to your question is, yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Geo-Karis.

SENATOR GEO-KARIS:

What...can you give me an idea how small the company...it can be to be eliminated from this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Okay. Yes, five or more full-time employees and twenty or more part-time employees and there is a two thousand pound minimum quantity for reporting. Just exactly what was in 2036.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I don't quite follow you. You say that under...and any firm with under twenty employees is not covered. Is that what you're saying?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Part-time employees.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

And...what is the maximum number of a small company of employees? Just five.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yes,...the...the provisions of the law kick in at the five or more full-time employee level or twenty or more part-time employee level and a two thousand pound quantity for reporting.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Rock moves the adoption of Amendment No. 2 to House Bill 300. 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. House Bill 392, Senator Lemke. House Bill 481, Senator Kelly...Kelly. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 481.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Kelly.

PRESIDENT:

Senator Kelly on Amendment No. 1.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. The amendment which we are offering on House Bill 481 is identical to the amendment that we attempted to offer on House Bill 181 yesterday that Senator Netsch had, and this changes the base for determining the number of required petition signatures. It also affords the reduction which Senator Netsch had attempted to achieve by reducing the requirement from ten percent to five percent of the minimum signature requirements for ward committeemen. So, it does accommodate the interests of the legislation that Senator Netsch had, but at the same time, it incorporates the...the base change. I believe we debated the subject previously. I would move for the adoption of Floor Amendment No. 1 to House Bill 481.

PRESIDENT:

All right, Senator Kelly has moved the adoption of Amendment No. 1 to House Bill 481. Discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. While there is some difference on my side of the aisle about this particular amendment, I

want to tell you that the majority, at least, and I hope the...people...the Republicans on my side of the aisle are listening, particularly those from Cook County, I want you to know that the suburban committeemen are in the majority opposed to this particular amendment. As a matter of fact, they are vehemently opposed to this particular amendment. I urge you not to support this amendment.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

I...I think it's that time of year, Mr. President, when we are beginning to see some of the same issues over and over again as amendments to various bills, and as someone over here suggested to me, this is probably not the last time we'll see this one if it should happen not to prevail this time. We did defeat this before. It is clearly intended to make it more difficult for anyone to file for the office of township or ward committeeman and seems to me it is intended to do it in a way that is discriminatory, and that is very likely to be just as unconstitutional and just as quickly invalidated as was the provision which it is designed in part to replace. Instead of the...the difference of the number of signatures, we're now talking about a difference in the base against which it's measured. It does...it is not consistent with....any...anyone's idea of what is good government or what is the proper purpose of requiring signature petitions...signatures on a petition to file for an office whether it's public or private, and it is, I repeat, it is discriminatory against this office and it should be defeated.

PRESIDENT:

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise to support Senator Kelly's amendment, quite

frankly. One of the things disappointing to me, it's so easy to get a...become a candidate and get on the ballot these days, and you have a lot of, how should I say it, unqualified people who don't take a lot of signatures to get on. We ought to make it tougher. If you've got a good organization and work hard and get these signatures, you ought to be on the ballot. So, I would recommend that we all vote Aye.

PRESIDENT:

Further discussion? Further discussion? If not, Senator Kelly may close.

SENATOR KELLY:

Thank you, I'd move for the adoption of the amendment.

PRESIDENT:

Senator Kelly has moved the adoption of Amendment No. 1 to House Bill 481. Any 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. 483, Senator Kelly. On the Order of House Bills 2nd Reading is House Bill 483. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 483.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections and Reapportionment offers one amendment.

PRESIDENT:

Senator Kelly on Amendment No...

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. This is merely a technical change and necessitated by the omission from the bill a particular section which relates to the

tallying of write-in votes. I move for the adoption of the amendment.

PRESIDENT:

Senator Kelly has moved the adoption of Amendment No. 1 to House Bill 483. 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 committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 510, Senator Poshard. On the Order of House Bills 2nd Reading, bottom of page 59 is House Bill 510. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 510.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Demuzio and Poshard.

PRESIDENT:

Senator Demuzio on Amendment No. 1.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm offering this amendment...No. 1 to 510 which was identical to Senate Bill 149 that left this Body under the sponsorship of myself and Senator Schuneman, and I have discussed this with Senator Schuneman as well as Senator Rupp and others. We passed Senate Bill 149 which dealt with the



respective pension systems, the General Assembly, the State employees, the State universities, State teachers and judges out of here on a roll call vote of, I think, 53 to...to nothing, I guess, or 53 to 1 or something of that nature, and it seems to me that the House left this bill in the Pensions Committee...apparently chose not to do anything with it, apparently, and take no roll call votes. What Senate Bill 149 seeks to do and why...by virtue of Amendment No. 1 to 510 would to...be to provide for gradual increases in the rate of the contributions to those five pension systems starting in Fiscal Year 1986 so that by the year 1995 the State's contribution would be sufficient to meet the normal cost and to amortize the...underfund the liability over a thirty-year period of time. This bill is also substantially very similar to Senate Bill 1223 that we passed out of this Body that was vetoed by the Governor in the last Session. I would seek support for the adoption of Amendment No. 1 to House Bill 510 so that we can send it back over to the House and see if we can't get it passed over there.

PRESIDENT:

All right, Senator Demuzio has moved the adoption of Amendment No. 1 to House Bill 510. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have. The amendment is adopted. Further amendments?

SECRETARY:

No...Amendment No. 2, by Senator Poshard.

PRESIDENT:

Senator Poshard on Amendment No. 2.

SENATOR POSHARD:

Thank you, Mr. President. Floor Amendment 2 is a technical clarification to solve a problem with language in this bill. The House placed several bills affecting the Downstate Teachers' Retirement System in this one bill, and one of those amendments approved by the House needs to be corrected.

The Senate Insurance Committee had agreed with this proposition in concept. What the language will do is clarify that an annuitant may elect to revoke a reversionary annuity if his or her spouse predeceases him, and I would ask for a...an adoption of this amendment.

PRESIDENT:

All right, Senator Poshard has moved the adoption of Amendment No. 2 to House Bill 510. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 60, on the Order of House Bills 2nd Reading is House Bill 514, Senator Kustra. On the Order of House Bills 2nd Reading, House Bill 514. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 514.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 548, Senator Kustra. On the Order of House Bills 2nd Reading is House Bill 548. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 548.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 556, Senator Marovitz. Senator Marovitz, 556. On the Order of House Bills 2nd Reading is House Bill 556. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 556.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 567 and...570, Senator Philip and I have agreed to hold until tomorrow. 574, Senator Netsch. On the Order of House...the amendments have been filled, they're up here, yes. On the Order of House Bills 2nd Reading is House Bill 574. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 574.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections and Reapportionment offers one amendment.

PRESIDENT:

Senator Netsch on Committee Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. There was confusion on this bill. One of the committee amendments did not get attached. I believe the one that did get reported is the one that would provide that the...no funds would be transferred from the

Gubernatorial Election Fund...I'm sorry, from the General Revenue Fund into the Gubernatorial Campaign Fund. In other words, no GRF transfers. That was the second committee amendment and it is...it is the first committee amendment as you have it.

PRESIDENT:

This Committee Amendment No. 1 deletes on page 10 lines 25 through 28; it calls for equitable distribution to the candidates. Committee Amendment No. 1, Senator Netsch.

SENATOR NETSCH:

Right, this is the amendment which provides that there will be no transfer of funds from the General Revenue Fund into the Gubernatorial Campaign Fund if the checkoff does not itself provide adequate financing. I would...it's a...makes it identical to an amendment that we had put on our own bill here in the Senate previously. I would move the...the adoption of Committee Amendment No. 1 to House Bill 574.

PRESIDENT:

All right, Senator Netsch has moved the adoption of Committee Amendment No. 1 to House Bill 574. 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 committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Netsch.

PRESIDENT:

Senator Netsch on Amendment No. 2.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 2 is the amendment which the committee adopted as Committee Amendment No. 1

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but...which was not reported, so that...that's just simply to identify it to Senator Macdonald and the others. What it does is to provide that the campaign financing bill will be applicable first to the 1990 Election. It eliminates the provision which put restrictions on inaugural funds and...their reporting and...put limitations on them, that is eliminated in accordance with the Governor's Veto of the bill and it also attempts to clarify the period of so-called testing the waters during which the restrictions do not apply. Again, identical to provisions that we had incorporated in the earlier Senate version, and I would move the...adoption of Amendment No. 2 to House Bill 574.

PRESIDENT:

All right, Senator Netsch has moved the adoption of Amendment No. 2 to House Bill 574. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 777, Senator Sangmeister. On the Order of House Bills 2nd Reading, House Bill 777. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 777.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 793, Senator Luft. I beg your pardon,

George. In...there...I just...there...there was nothing...none filed here or at least if it's filed, it's misfiled. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, there's some confusion because there is a Floor amendment for 777. I would ask, at this point, leave to come back to it when I locate where the amendment is.

PRESIDENT:

All right, the gentleman seeks leave...

SENATOR SANGMEISTER:

...ask leave...

PRESIDENT:

...yes, the...we'll return 777 to the Order of 2nd Reading. We'll take it out of the record, Mr. Secretary. Leave it right where it is and with leave of the Body, when we find out where it has been filed, we'll get back to it. So, just leave it...with leave of the Body, it'll be returned to the Order of 2nd Reading and left there. 793, Senator Luft. On the Order of House Bills 2nd Reading is House Bill 793. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 793.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Marovitz, Netsch and Kelly.

PRESIDENT:

Senator Marovitz. Senator Netsch. Your amendment on 793, I take it. Question is...Amendment No. 1 on...House Bill 793. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to House Bill 793 is the amendment which would amend the legislation that we passed here a few years ago and allow for lights to be used at Wrigley Field at post-season games only, World Series and play-off games only. That is what the amendment does. I think we all know what the issues are. Everybody has had a chance to talk to Dallas Green and talk to the people from the community organizations. I would just like to make a few points very clear and then Senator Netsch will make some points very clear. Last year when the Chicago Cubs were leading the division, and a...we also heard from some very great pundits that the Cubs couldn't win in the...in the daylight and it was impossible they'd get too tired, the heat would bear down on them and they couldn't win in the daylight. Well, the fact is that Dallas Green came in and did an outstanding job in revamping the team, brought in the best players, the Cubs now have the best roster and that is why in 1984, the Cubs won the Eastern Division of the National League under the tutelage and the leadership of Dallas Green and Jim Fry. So, we've done away with that myth and last year, in August, the commissioner's office called me and said, we've got a problem with post-season games and playing them at night, can we sit down and see if we can work something out? So, I met with the commissioner's people, the aldermen, people from the community and we talked about...some alternatives and the question of temporary lights for the play-off and the World Series games came up, and the commissioner's office said...and I would like everybody to hear this, the commissioner's office said, we, at major league baseball, who run the post-season games...we, in major league baseball, who run the post-season games will pay for the installation of temporary lights for the play-off games and World Series games, not the Cub organization, not the Tribune Company, but

major league baseball will pay for them because we have an eighty million dollar TV contract and there's plenty of revenue here, we'll put up those temporary lights. Now let me tell you something else about...about lights, and I know that there's been lots of talk about temporary lights and permanent lights, this amendment doesn't say anything about temporary lights, it can be temporary lights or permanent lights, but in...as far as the installation of temporary lights, which is feasible, the cost according to the Iowa company would be somewhere in the neighborhood of two hundred and fifty, three hundred thousand dollars. That's about ten thousand dollars a team if they all chipped in. The fact is about the ability and the use of these temporary lights, the 1984 Olympics in Los Angelis, baseball was played at the Olympics with temporary lights. That's what happened in 1984. So, as far as the ability of temporary lights, sure, it may not be the same for football because you got a...an eighty-five, ninety mile an hour fast ball coming at you, but it was used in the 1984 Olympics and used without complaint. As a matter of fact, TV cameras need more juice than...than is needed to play baseball, so the fact is, temporary lights are...are going to be fine if those...if that is what major league baseball chooses to use. It can be done in three or four days without great diesel...machines coming in and disrupting the community. The community has not been intransigent. The community has been willing to compromise and willing to be conciliatory...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz, just a moment. Senator Luft, for what purpose do you seek recognition?

SENATOR LUFT:

A point of order, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.



SENATOR LUFT:

How did my...my amendment not become No. 1 to this bill when it was filed first? Not that. Secondly, what I would like to know, since someone has changed the order of amendments and my amendment apparently is now not No. 1, does my amendment track with the one that is about to be adopted?

PRESIDING OFFICER: (SENATOR SAVICKAS)

I think you had better, from what I've just heard. Yes,...have leave to take it out of the record. (Machine cutoff)...to have...we have already had leave to return to House Bill 777 which we are waiting for an amendment. The amendment is ready, so on the Order of 2nd Reading, in the middle of page 60, House Bill 777. It has been read a second time, we are on Amendment No. 1. Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you and thanks for leave to come back to this,...we have located the amendment and the amendment is very simple in nature. After a meeting with all of the parties concerned about probation and community corrections, basically what this amendment does is put some language in as to what the purpose of the whole bill is concerning community corrections and a few other technical changes. I'll be happy to answer any questions if you have any, and...we can discuss it on 3rd reading. If not, move for adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Sangmeister moves the adoption of Amendment No. 1 to House Bill 777. 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. On the Order of House Bills 2nd Reading on page 60, House Bill 805, Senator Karpisiel. Read the bill, Mr.

HB 935  
2nd Reading

Secretary.

SECRETARY:

House Bill 905.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpriel.

SENATOR KARPIEL:

Thank you, Mr. President. The amendment that was adopted in committee was an amendment that was suggested by the Comptroller and it just deals with the technical methods by which he is going to withhold these income tax refunds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Karpriel moves the adoption of Amendment No. 1 to House Bill 905. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 900, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 900.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, take it out of the record. Let's wake up...House Bill 935, Senator Fawell. Read...read the bill, Mr. Secretary.

SECRETARY:

House Bill 935.

(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 Fawell.

SENATOR FAWELL:

Thank you, very much. First, I'd like to Table the committee amendment because it is improperly drawn and I...I want to add amendment...Floor Amendment No. 1 to substitute.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Having voted on the prevailing side,...Senator Fawell moves to Table Committee Amendment No. 1 to House Bill 935. All those in favor indicate by saying Aye. Those opposed. Hearing no objection, Amendment No. 1 is Tabled. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This amendment is correctly drawn, first of all, and it does add a couple of...other things. First of all, it excludes Chicago from the bill. The second thing it does is it moves the dates from July 1st, 1986 to July 1st of 1987 for the reorganization committee to study the size and structure of the school districts in the region and then it moves the date from July 1st 1987 to July 1st, 1988 for the...all right, I'm sorry, I...I take it back. The first one is just a technical amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, it's in the record, you can't take it back.

SENATOR FAWELL:

Yeah, all right. Senator, the...Amendment No...the Floor Amendment No. 1 is just a technical amendment, period.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'm sorry, Senator Fawell, did you conclude your presentation on the amendment?

SENATOR FAWELL:

I...I just move for its adoption. It's a technical amendment. Just clears up the language, that's all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, it's my...it's my understanding it's simply a technical amendment that substantive...the substance of the...of your amendment that which was adopted in committee and this simply is something to do with technical and we have no objections to that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR GEO-KARIS:

Does this...does your bill...or your amendment...rather the bill itself...is this the bill that forces the school districts to unite?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

No. No, it does not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR FAWELL:

...let's get the amendments on first. The first amendment is just a technical amendment, okay?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...further discussion? If not, Senator Fawell moves the adoption of Amendment No. 2 to House Bill 935. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. The third one is the one that changes the dates that I was explaining before, I'm sorry, it...it changes the dates from July 1st...1986 to July 1st, 1987 for the reorganization committee to study the size and structure of the school districts in their region; and then it changes the...the date from July 1st, 1987 to July 1st, 1988 for the committee to submit this proposed plan to the voters. Plus, it excludes Chicago.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 4 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. This amendment simply allows

for the reimbursement of the costs to the...those districts that have already established their ESR's, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I have talked to Senator Donahue about this amendment and this is acceptable to me, and I would move for its adoption also.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Demuzio, do you have a problem there...I mean, you're...Senator Donahue moves the adoption of Amendment No. 4 to House Bill 935. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 5 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 5 to House Bill 935 is the amendment that simply mandates that the...when the question is asked on reorganization that it must pass in every district affected, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I'm...in response to the sponsor's amendment, I would go on record as being opposed to this amendment. I think if we go this route what's going to happen is that there are going to be districts that are not going to be reorganized that, frankly, should be. We have

got a...a further amendment a little down the way that might possibly take care of Senator Maitland's problem, I think, but I think this is...this is not a good amendment. We have got some school districts that, frankly, should be reorganized and I would ask my fellow colleagues to oppose it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? We have Senator...we have Senator Welch, Macdonald, Geo-Karis, Hudson and Schuneman, in that order. Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would like to rise in support of this amendment. I think that it is not a good idea what we're doing, ordering consolidation of the school districts. Many small schools will be forced out of existence by necessity should this bill become law especially without this amendment. I'm reminded what was said by Daniel Webster so many years ago in the Dartmouth College case when he argued before the Supreme Court and he said, "It's a small school, but there are those who love it," and I think that we should take that into consideration as we try to eliminate so many downstate small schools under the guise of a study that was done of only some fourteen school districts and which came to the conclusion that bigger is better. Once again, we are being led in this Chamber, as we sometimes are, by a public opinion poll, unusually unscientific and usually supporting the polltaker's preordained opinion of what is good for everyone else. I think that the parents want to keep their kids close to home. I think small schools are something to give small towns identity and they want to maintain them. This bill will end up in more busing than any parochial school busing we have ever thought of before. I think that this is a good amendment and I think we should adopt it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR MACDONALD:

Senator Maitland, I was under the impression...as a matter of fact, I was the chief sponsor when I was in the House, that your amendment...was already law.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator Macdonald, two or three years ago we changed the law which made it now not necessary for a reorganization effort to pass in every district. This bill as sent to the...to the Senate, of course,...followed that train of thought. It just seems to me, as Senator Welch has so capably put, that when something as this...as this dramatic, this monumental, that, in fact, it should pass in every district.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

My understanding of your amendment, Senator, is that before they consolidate two school districts the...both the...the people in both...in each of the school districts has to consent to...have to consent to it by vote. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:



Yes, Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

At the present time, it's possible, is it not, where one school district does not consent and the vote still is a majority, they can consolidate?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

That is correct, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I rise to speak in favor of the amendment. I don't think it is fair to the people of one school district that are concerned about their school district and pass the referendums to help their school district to be bound by an overwhelming vote of another school district with which they may not want to be consolidated. I think the amendment is good and I think it's fair...completely fair, far fairer than the present law, and I speak for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

END OF REEL

REEL #3

SENATOR SCHUNEMAN:

Thank you, Mr. President. I think we're doing some interesting things here, the...the new superintendent of education has issued the recommendation that schools be consolidated in Illinois, and one of reasons he cites for that is a study of the test scores of kids that have graduated from various size schools. He points to the fact that kids from small schools apparently have lower test scores and says, for that reason, we ought to consolidate the schools. He completely ignores the fact that kids from big schools, the larger schools in the State have terrible test scores, bad test scores. The solution to the problem appears to be his suggestion that we do something about the small schools but leave untouched the biggest schools in this State. Now, one of the previous sponsors of an amendment to this bill completely exempts the City of Chicago from the bill, and I suggest to you that...that it's simply not fair to the small districts around this State to ask them the question of whether or not they will consolidate with a larger school district knowing that the larger school district can outvote the smaller school district. It's simply not fair. This amendment, if nothing else, is an attempt to put some fairness back into the system. I don't think any of us object to the idea that consolidation ought to be studied,...and that maybe some proposals ought to be offered to voters. But let's not force this kind of an issue where the people who want their schools will be forced into some other district that they may not want to...to join. This is a good amendment and ought to be adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in support of Senator Maitland's Amendment No. 5. I think the points have already been made...relevant to its passage, and I would ask our members to support the...the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Maitland moves the adoption of Amendment No. 5 to House Bill 935. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 5 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 6 offered by Senators Demuzio and Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, I'd...I'd like to have that amendment withdrawn.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 6 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Yes, Mr. President, that would be the amendment that was No. 7. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes.

SENATOR MAITLAND:

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

Senate. There had been some concern with respect to the representation on the reorganization committee that...that is formed. Amendment No. 6 would delete the number fourteen and require that...that each...each unit district in the region select one member, and that also each high school district will in fact have a member. All districts then are represented on the reorganization committee. I move the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This amendment also is acceptable to the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Maitland moves the adoption of Amendment No. 6 to House Bill 935. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 6 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 7 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Amendment No. 7 to House Bill 935 gives protection...it is...it will be impossible to erode...to erode an existing district...it eliminates the erosion of assessed valuation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Discussion? Senator Fawell.

SENATOR FAWELL:

This, too, is acceptable to the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...further discussion? If not, Senator Maitland moves the adoption of Amendment No. 7 to House Bill 935.

Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 7 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 8 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

I...I'd like to withdraw this amendment, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1000, Senator Joyce. House Bill 1020, Senator Joyce. House Bill 1027, Senator Welch. House Bill 1102, Senator Lemke. Read the bill. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1102.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Nedza.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 is Senate Bill 1456 in its pristine form that it left this Chamber by a 45 to 4 vote and it was lost someplace across the aisle, and I would just move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

HB 1027  
2nd Reading

Is there discussion? Senator Macdonald.

SENATOR MACDONALD:

Well, as much as I hate to...I hate to disagree with my good friend across the aisle, but we are very much opposed to this particular amendment. Why do we really need this? What is to prevent the boss judge from being very partisan if he doesn't want to prevent or enhance vote fraud? There is real concern that this might become a patronage tool rather than instill professionalism in conducting registration, and I would rise to strongly oppose this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Nedza moves the adoption of Amendment No. 1 to House Bill 1102. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill...can we have leave of the Body to go back to House Bill 1027 for Senator Welch? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1027. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1027.

(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 Welch.

SENATOR WELCH:

The amendment is one which refers to individuals being hired from outside of their districts...their school districts, and what the bill also says is that there is a clause that it doesn't pertain to the City of Chicago.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Welch moves the adoption of Amendment No. 1 to House Bill 1027. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 to House Bill 1027 merely puts Chicago back in the bill. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Discussion? Senator Berman.

SENATOR BERMAN:

Thank you. This issue was debated in committee and it was the sponsor's request that this amendment not be put on the bill either in committee, and I believe he'll restate that on the Floor. Because of the size and the vast resources available in the City of Chicago, the...the Chicago Board of Education and the City Council of the City of Chicago have seen fit to impose certain residency requirements as it affects the employees of certain agencies including the Chicago Board of Education. I don't think it is our prerogative here to change that and I stand in opposition to Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. Chairman. As...as Senator Berman stated the facts, they are correct. I promised in the Elementary and Secondary Education Committee that in order to get the bill out of the committee, I would oppose this particular

amendment and I would stand on the Floor and state that I was opposed. So I've done what I promised I would do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Maitland moves the adoption of Amendment No. 2 to House Bill 1027. Those in favor indicate by saying Aye. Those opposed. The Nays have it. The amendment loses. Further amendments? For what...Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of...of...of the Senate. I would ask a roll call and suggest, if it's good enough for downstate, it ought to be good enough for Chicago.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A roll call has been requested on the adoption of Amendment No. 2 to House Bill 1027. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 26, 1 voting Present. Amendment No. 2 having received a majority vote is declared adopted. For what purpose Senator Berman arise?

SENATOR BERMAN:

A verification, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A verification has been requested. Will all the members please be in their seats and will the Secretary read the affirmative vote.

ACTING SECRETARY: (MR. FERNANDES)

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



PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there a question of any of the affirmative votes, Senator Berman?

SENATOR BERMAN:

Karpiel...Senator Karpiel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel. Take her...remove her from the record. There she is back on the Floor. Do you question any other members?

SENATOR BERMAN:

Senator Sommer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer is talking to the press.

SENATOR BERMAN:

No further questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary. On a verified roll call, the Ayes are 28, the Nays are 26, 1 voting Present. Amendment having received the majority vote is declared adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1020, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1020.

{Secretary reads title of bill}

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1159, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1159.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Could you tell me what the number is of that amendment 'cause there's two amendments.

ACTING SECRETARY: (MR. FERNANDES)

SDS94H1159PAMLLA.

SENATOR JEROME JOYCE:

All right. Thank you, Mr. President. This is the home builder's amendment to 1159. This amendment clarifies builder-developer donations to local units of government. Currently, a builder-developer may...be required to make a land donation for a park or a school site in an area where he plans to build. This...amendment does not change that situation; however, where sites are currently provided for such public use and are not being used at all, the local unit of government would be required to show that additional donations are needed. Where additional sites are not needed, the builder-developer would not have to pass the cost of this donated land onto the home buyer, thus, reducing the cost of housing. Again, this amendment...takes no authority away from local government. It merely requires that they show a need, and if that need exists, they may proceed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Joyce moves the adoption of Amendment No. 1 to House Bill 1159. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1197, Senator Bloom. No, wait...Senator Joyce, you have another amendment?

SENATOR JEROME JOYCE:

It must not be up there. I'll...can I have leave to come back?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, we can bring it back.

SENATOR JEROME JOYCE:

Yeah, all right. All right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On House Bill 1197, Senator Bloom. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1197.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1292, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1292.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you. This amendment clarifies the...the opportunity of...as to the financial obligation to the facility and the authorization to apply any deposit to the obligation still holding...still owing to the nursing home upon the resident's death. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Berman moves the adoption of Amendment No. 1 to House Bill 1292. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1355, Senator Sangmeister. Senator Sangmeister, 1355? 1395, Senator Nedza. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1395.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the amendment that the Farm Bureau and the Illinois Tax...Federation and the Illinois Association of Realtors have been talking to you about concerning raising the property taxes in...for park districts. We're talking about a five-cent property tax increase and, of course, the problem with this, and we opposed...or I opposed this particular bill in committee simply because there's no...referendum. All we're asking to do...and this amendment would do would put a front-door referendum on the provision and...and ask the people to have a chance and an opportunity to be...to be heard. This is a front-door referendum, that's what this amendment does. Currently, the legislation does not pertain...contain it. So we're just asking for the people to have an opportunity to be heard and I would appreciate support and urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I...I think we all ought to take a good look at this amendment. What this...this five-cent amendment is for is health and safety reasons. Now, if there is a...a health and safety problem in our parks, we are either going to have to close that park...safer and since there is a...a building that is in a park that has a problem in it, a health and safety problem, a fire problem, any kind of...the roof leaks, the improper doors are on it. A lot of our parks have gone out and bought old school buildings and that type of thing that are now, frankly, in disrepair. If there are bleachers that need to be replaced, if you feel that your parks should wait until a referendum is taken and passed in order to correct these situations, I guess you should vote for this amendment, but we allowed this same courtesy not only to our schools but to our community...our community colleges so that they have this leeway to take care

of these problems as they arise so that our people will not be hurt on the property. That's the reason we...we limited it to a five-cent levy, anything above and beyond that we feel probably is not an emergency problem, and we do tell them they have to go to a referendum. But I would...I would suggest you look at this very closely. This is a...a...this bill was originally introduced by our park districts, and I would suggest that you...and as much as I like the sponsor, kill the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What Senator Watson said is very true, he did oppose the...the bill in committee, and fortunately, the committee, in their wisdom,...the rest of the members of the committee supported the bill, so the bill came out 9 to 1...do it 9 to 2, I'm sorry. But in order to...the amendment, I rise in opposition to that...to this amendment, because what in effect the amendment does is guts the bill. In the...the recent decline of...of school age population, park districts have been able to obtain a number of...or...unused school buildings for their use as recreation centers, et cetera. Consequently, they share...they have a problem with assuming the ownership of these buildings because of the fact that the presence of asbestos and other hazard materials that the school districts throughout these...United States are presently addressing themselves to. House Bill 1395 would extend the same authority that school districts presently have and community college has...have because of the fact of the asbestos...the hazardous material. Now, it's true that there is no referendum, it's a straight levy of up to five percent. The reason for the five percent is because if they acquire one of these structures, the presence of the hazardous mate-

rial is there, the park district would assume what is other...or to be a white elephant as far as the school districts are concerned, the facility would then be placed into a good use for the community, and we do not deny that it is not a five-cent levy. A five-cent levy on a fifty thousand dollar home reflects into a twenty-five dollar increase, but there are some safety provisions in this bill also. What it does is that it requires an architect or an engineer and for the expenditure of twenty-five thousand dollars in order to make the structure habitable for whatever the park district would like it to be. After that five...five percent, there is a referendum provision leading up to the ten percent. So there is a referendum provision in the bill, it's a two-tier, the first five percent none and the five percent after would have to be a referendum. What the amendment does is guts that entire provision and just makes the bill a...nonentity. Now the park districts have had to acquire an association of cost which has mandated their facilities. Now, we're talking about general purpose recreation centers, senior citizen centers, health fitness centers, arts and crafts centers, day school, pre-school centers. Now the health and safety of these individuals and these structures under these programs is the same as if they're in a community college or any...the structures in a school districts, and I would ask and urge you to help me defeat this amendment so that the park districts in this State can do the same thing that the educational community colleges are doing. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Watson moves the adoption of Amendment No. 1 to House Bill...Senator Watson, do you wish to close?

SENATOR WATSON:

Yes, sir...yes, sir. Thank you, Mr. President. I just want to make sure everybody knows what they're...what they're

voting on here, because some of...one of the previous speakers made reference to the fact that this is a bad idea. I...I don't know when it's such a bad idea to allow the...the people the opportunity to...to voice their concern and if it's an emergency situation and the park district can sell it, then why not let the people have a choice and an opportunity to be heard? And as a...that's all we're asking to do, put a referendum on it, let the people have an opportunity to vote. We hear constantly about how the property taxes continually increase and this is one of the reasons why it happens. We pass these bills up here that simply go on back home and raise property taxes without giving the people an opportunity to vote. I think they should have that opportunity. I think they should have the...and that's what this amendment does. You vote for the amendment, you're voting for a referendum. If you vote against it, you're voting against the people having an opportunity to be heard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson moves the adoption of Amendment No. 1 to House Bill 1395. Those in favor indicate by saying Aye. Those opposed vote Nay. Sounds...the Ayes...the Ayes have it. Amendment No. 1 is adopted. A...a roll call has been requested. All those in favor of adopting Amendment No. 1 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 38, the Nays are 5. Amendment No. 1 having received the majority vote is declared adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. With leave of the Body, we do have our second amendment on House Bill 1159. We will return House Bill 1159 from 3rd reading to 2nd reading for the purpose of



its amendment. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This is the amendment that the clerk couldn't find because it was in my drawer. This one amends the Illinois Manufactured Housing and Mobile Home Safety Act. It eliminates the mobile home coverage from the Act, but what it...what the real crux of it is...it...is that it provides that manufacturing housing permanently placed and used as a dwelling or as an owner-occupied real property shall be taxed as real property. It amends the Revenue Act to include such manufacturing housing in the definition of real property. I'd ask for adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Joyce moves the...Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, it's been some time since I have been on the Revenue Committee, but isn't manufactured housing subject to a special kind of assessment now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, no, it's not...this one...this further clarifies that it is not. This says that if it's on a...on a foundation that it will be taxed as real property. This will increase the property tax coming into the counties. The special tax was like fifty dollars or something that counties put on several years ago, but this...this says that if it's on a foundation, it will be taxed as real property.

PRESIDING OFFICER: (SENATOR SAVICKAS)

HB 1517  
2nd Reading

Senator...further discussion? If not, Senator Joyce moves the adoption of Amendment No. 2 to House Bill 1159. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1436, Senator Joyce, Jerome Joyce. House Bill 1467, Senator D'Arco...House Bill 1517, Senator Holmberg. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1517.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Senate Amendment No. 1...committee amendment becomes the bill and establishes a limited program of consolidated tax levies by establishing a new increased corporate fund rate for the counties by population and category. It eliminates a currently used county rates and eleven unused rates. This was arrived at by very close work with the Taxpayers' Federation and...of Illinois and they do support this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Holmberg moves the adoption of Amendment No. 1 to House Bill 1517. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further...Amendment No. 2 offered by Senator Holmberg.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Yes, this Floor amendment which I will describe, I would like, of course, to have adopted, but following the description, I would like this particular bill to remain on 2nd to not be moved to 3rd. The...the Floor amendment changes two of the consolidated levies as listed in the committee amendment, the one is for populations in counties of eighty thousand to three million, changes that from twenty-five percent to twenty-eight percent and it changes those for fifteen thousand or less from thirty-five percent to forty percent.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Holmberg moves the adoption of Amendment No. 2 to House Bill 1517. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Oh, I'm sorry...we must keep that on 2nd reading. House Bill 1517 will stay on 2nd reading. House Bill 1529, Senator Collins. House Bill 1540. 1556, Senator Keats. With leave having been previously granted, we will now return to House Bill 793 on the Order of 2nd Reading, that's on page 60. Senator Luft, who filed his amendment first, has out of generosity permitted Senator Marovitz to have his amendment considered first. Senator Luft's amendment being No. 2. With that, Senator Marovitz on Amendment No. 1. Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 793.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senators Marovitz, Netsch and Kelly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is the amendment, once again, that would allow for the use of lights for post-season championship games. As I mentioned before, the community was very concerned, as were I'm sure all of us, that the games might be moved to another city should the Cubs get in the play-offs and the World Series. And a community not to be intransigent, not to be an...an...in an effort to be conciliatory and compromising felt that the use of lights for post-season plays was...was acceptable, and it was extremely important to all the citizens in the State of Illinois because of the revenue that such games would bring into the State of Illinois. And this would amend the law that we passed a few years ago to allow lights for post-season play and post-season play only. There have been lots of talk about lights all the time, giving more people a chance to see the games, but the fact is, try and get a ticket to the Cub games now. I get calls all the time from my constituents and from people in this Body about the need for tickets because it's impossible to get tickets to the Cub games because of their popularity. This amendment passed in the House yesterday, 85 to 25. Today...with with the present law today, the Cubs can play three o'clock games as they do, they can play four o'clock games if they want, it is even conceivable that they could play five o'clock games. I think we should take a look and...at...at what...putting permanent lights and playing forty, fifty games at night

would do to a community, and these are people who moved into the community, who are raising their families in the community, who have a stake in the community, have mortgages, have...are going...attending the schools in the community knowing that it was day baseball only. They had that commitment from Phil Wrigley that there would not be lights at Wrigley Field, and they realized that the installation of permanent lights and the playing of night games during the regular season would really totally destroy that community, and it would destroy that community. The fact is, there is no parking...most of you have gone to the games in Wrigley Field, there's no parking over there. It's not quite as bad during the day because most of the people, a lot of people, take public transportation. The CTA lets you off right in front of the door and people take public transportation because it's during the day. There are a lot of spots available on the street because the residents are at work. If the games were at night, you're not going to find these same people taking the trains home at eleven, twelve o'clock at night. The public transportation is not going to be used, the spaces on the street are not going to be available. Where are people are going to park? There is no provision for parking whatsoever if...if regular season night games were played. I want to read you a letter from the people who are the biggest lighting people in the United States, it's Musco Lighting and this is a letter to the aldermen in our community. "This letter is to advise you that it is possible for Musco Mobile Lighting to provide temporary lighting for Wrigley Field. Our conclusions are based upon the study which we did last year for the baseball commissioner's office and our substantial experience in both permanent and temporary lighting for various types of sport's facilities including baseball stadiums. Electric power to operate the lighting equipment could be provided in a variety of ways includ-

ing conveniently...conventional utility company power systems or generators supplied by Musco." I repeat, that last year, we talked with the commissioner's office, the Tribune wanted to use temporary lights for the play-off games. Last year it was fine to use those temporary lights, major league baseball is going to pay for it not the Tribune Company; and one point that I want to make very clear because some people have alleged that even if we get temporary lights, the Cubs won't use them. Let me make this very clear, the post-season games are under the authority of the commissioner of baseball. It is within his power...if legal in the State and in the city, it is within his power to order the installation of temporary lights and to have those play-off games played under temporary lights at night. It is within his power just as it was in his power to move the games to another city over the objection of the Chicago Cubs. So this is up to the commissioner of baseball who would like to see lights for play-off and World Series games. He came down here, he talked to me and he talked to others, he loves day baseball, wants to see Wrigley Field a viable edifice and the continuation of day baseball but is very concerned, as are the other major league baseball owners, that the play-off games not be used and that lights be available for play-off games in the City of Chicago. I think this is a very reasonable amendment. I think it shows that the community has not been intransigent, it has been willing to compromise and be conciliatory and say, all right, there's a possibility of seven night games in our community, we'll live with that because we know the revenues to the State of Illinois are important and we don't to see those games moved. I would solicit everybody's support to amend the State law that we passed last year and allow post-season games to be played under the lights at Wrigley Field.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Back in the first week of April, I introduced a bill, it's Senate Bill 1173. It says that it will amend the Environmental Protection Act to provide that noise and lights may be omitted from a stadium...of a city of not more than one million...of more than one million people during a nighttime play-off or a World Series game. This bill does exactly what this amendment calls for and I was approached by two of my colleagues asking me to hold that bill, that it was very important particularly since it was under review by the courts, and after seriously considering the issue, because they have been certainly very good to me, I've discussed the matter with the one Senator and indicated that I was going to do this, but if this issue surfaced again, I would like to take a part in taking the lead on the issue. Well, I'm going to support this proposal because this is exactly what I was attempting to do with my Senate bill. But I want to say you, commitment wasn't kept and I...I feel bad about it, that's always been a common trait around here that we...that we have courtesy and we try to...to the best of our ability. I know we've got a very busy world, a very busy General Assembly and maybe that's some of the problem that it's hard to remember what we did or what we didn't do, but I'm going to support this but I think I'll think twice before I hold a bill or Table a bill at the request of a member.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. At the appropriate time to move the previous question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito moves the previous question. We do have

Senator Netsch, DeAngelis and Rock that wish...speak, so after those three. Senator Netsch.

SENATOR NETSCH:

Why don't I do the closing since I'm cosponsor of the amendment. I'll take it up last.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator Marovitz can do the closing. You relinquish to her. Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicate he'll yield.

SENATOR DeANGELIS:

Well, Senator...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Which one...which...

SENATOR DeANGELIS:

Senator Marovitz. Yeah. They may get a twofer on this one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DeANGELIS:

Okay. Senator...Marovitz, where did you get your information that the commissioner's office would pay for the lights?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

From the commissioner's office.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, was it the park commissioner in Chicago or was the commissioner of baseball?



PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

...to clarify it, although I did repeat it twice. Last year, 1984, when we had negotiations with the commissioner's office, the commissioner's office said major league baseball would pay...would pay for the lights in 1984. I did not say and I'm not standing here and saying that the commissioner's office has said that they would pay for the lights in 1985, but they did make a commitment that...we've never talked about that. They did make a commitment to pay for them in 1984.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, for the record, the commissioner's office will not pay for the lights, so we have to get that straightened out first. Pardon? The commissioner's office.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion?

SENATOR DeANGELIS:

Yeah.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Marovitz, you also indicated in your speech that Musco Lighting would do the lighting...could do the lighting. Has Musco Lighting ever lit up a professional stadium for a sport's event for major league professional teams?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I don't know if they did it for major league professional teams, I know they did it for the 1984 Olympics where base-

ball was played.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, the answer, again, is, no; and I will tell you that the finals of those baseball games were played in the Los Angeles Dodger's Stadium.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...no further...discussion? Senator Netsch may close.

SENATOR NETSCH:

Thank you, Mr. President. There are just a couple of points that I would like to make. One, as almost everyone in the Chamber knows, there is still pending a Supreme Court argument that involves the validity of both the State Statute and the city ordinance which effectively control and regulate the playing of games in Wrigley Field at night. It was not our decision to reopen this issue while the Supreme Court decision was pending. It was the Tribune and the Cubs who decided somewhat late in the game, we think, to come to Springfield and to begin to lobby heavily for a complete repeal of the State Statute and a preemption of the city ordinance, and that, indeed, is the next amendment that you will be asked to vote on, Senator Luft's amendment. I am talking on...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock, for what...

SENATOR NETSCH:

...this amendment...

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR ROCK:

Just to keep the record clear, the next amendment does not preempt the city ordinance.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Thank you, for that point. Senator Netsch.

SENATOR NETSCH:

The next amendment does, unless you've got a new one filed. In any event, whether or not it does is in a sense irrelevant to my argument, because my point is that it was not our decision to reopen the issue of the validity of the State Statute or its continued effect. It was the Tribune and the Cubs who did that. What we are doing really is responding to that pressure from them. We have...met with our community, the community has itself been meeting at great length and what it has said is that we do not want to be unreasonable. Almost everyone who lives in that community is a die-hard Cubs fan. They don't want anyone to play...even to threaten to play play-off games or World Series games outside of Wrigley Field, and so they are the ones who came forward and said, look, we are willing to talk about this, we are willing to make movement. We are willing to say, let's change the State Statute and allow play-off games to be done at night if that is the will of the baseball organization and the commissioner's office and ABC television. And it is for that reason that the amendment...this amendment has been put forward. Finally, let me just say that, don't anyone be under the illusion that is not a community issue and that this is not an issue of enormous importance to the fifty-two thousand people who live within four blocks of Wrigley Field. I have before me, and I guess I won't read it now, a study that was done of the difference in crime at Comiskey Park between day games and night games, and let me point out that Wrigley Field is very different from Comiskey Park. There are no buffer zones around Wrigley Field, the residences are right there, right next door to Wrigley Field. The difference in the crime statistics is very dramatic, that is what those people are concerned about. They...it is their neighborhood, it's their homes, it's their families and I think we

should respect their privacy.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch moves the adoption of Amendment No. 1 to House Bill 793. Those in favor indicate by saying Aye. Those opposed. The Ayes have it...the Ayes have it. Amendment No. 1 is...the Ayes have it. Amendment No. 1 is adopted. Any further amendments? A roll call has been requested. Those in favor of adopting Amendment No. 1 to House Bill 793 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? Senator Chew, when you...sit in this Chair, you will direct the operation. Have all voted who wish? Take the record. On that question, the Yeas are 29, the Nays are 29, none voting Present. The amendment having failed to receive a majority vote is declared lost. For what purpose does Senator Marovitz arise?  
SENATOR MAROVITZ:

A verification of the negative, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

ACTING SECRETARY: (MR. FERNANDES)

The following vote in the negative: Bloom. Chew. Coffey. Davidson. DeAngelis. Donahue. Dunn. Etheredge. Geo-Karis. Hudson. Jones. Keats. Kustra. Lemke. Luft. Macdonald. Mahar. Maitland. Philip. Rigney. Rupp. Schaffer. Schuneman. Sommer. Topinka. Watson. Weaver.  
Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz, do you question any of the negative vote?

SENATOR MAROVITZ:

Senator Coffey.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey is standing in the back.

SENATOR MAROVITZ:

Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR MAROVITZ:

No further questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Verify the affirmative vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There's been a request for the verification of the affirmative vote. Will all the members in the seats. Will the Secretary call the affirmative vote.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Berman. Collins. D'Arco. Darrow. Dawson. Degnan. Demuzio. Dudycz. Fawell. Friedland. Hall. Holmberg. Jerome Joyce. Karpel. Kelly. Lechowicz. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Poshard. Sangmeister. Savickas. Smith. Vadalabene. Welch. Zito.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip, do you question any of the affirmative vote?

SENATOR PHILIP:

Senator Dawson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson. Senator Dawson in his seat? Senator Dawson. Strike his name.

SENATOR PHILIP:

Senator Kelly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly is...Senator Kelly in his seat? Senator Kelly on the Floor? Strike his name.

SENATOR PHILIP:

That's it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr....Mr. Secretary, 26 Yeas, 27 Nays. On a verified roll call, Amendment No. 1 having failed to receive the necessary votes is declared lost. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 2 to House Bill...793 eliminates language specifically prohibiting baseball, football, soccer, sport's events or any other events from being played at night in the State law. I feel that the Chicago Cubs belong to all of us even though they're domiciled in the City of Chicago, and I believe that they belong to the whole country and I think after meeting with Mr. Green, it is...seriously and sincerely his desire to be kind to the neighborhood in which Wrigley Field sits, and I think his schedule of eighteen games plus, hopefully, post-season and World Series games is to the advantage of all of us in the nation and I disagree with Senator Marovitz a little bit because night games do bring in a little more revenue and it's called television. There's Monday night games that could be brought from that area and I would just hope that we could strike this language from the State law and would move for the adoption of Amendment No. 2 to House Bill 793.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Bloom.

SENATOR BLOOM:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR BLOOM:

How did you get involved in this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR BLOOM:

Did the...

SENATOR LUFT:

I am a Phil Caveretta fan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Well, I thought maybe Mr. Vonackan got a hold of you before he did...us. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, I am intrigued by Senator Luft saying he got to meet Mr. Green. Now, we had the pleasure of meeting Pat Paulsen and I was wondering why we didn't all get to meet Mr. Green.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

First, a parliamentary inquiry of the Chair.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR MAROVITZ;

Since...since this is preemptive of home rule, how many votes would...does this need? Well, I...guess that...that would be...but if this...if this amendment...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator, this is an amendment. Amendment takes the

majority of those voting to adopt. The preemption would only have taken effect on the passage of the bill. Senator Marovitz.

SENATOR MAROVITZ:

That's what I'm asking, if this amendment were adopted, how many votes would it need on 3rd reading?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, this is only a parliamentary inquiry at this time. The ruling is not binding and if it's...if it's preemptive, it would take thirty-five votes...thirty-six votes. Senator Marovitz.

SENATOR MAROVITZ:

Well, I...I just...I rise in opposition to this amendment. This is a total repealer. We passed this bill a couple of years ago, this would allow no limitations whatsoever...every game could be played at night, and I think that there comes a time when we have to, you know, it's...it's all...it's fine for the almighty dollar to...to run our lives and run sports, but when it...when it destroys communities, I think that's when we ought to put our foot down and I think that's what this bill will do. It's a total repealer. I'll tell you one thing,...you know, it's sort of an exercise in futility 'cause this is...this bill is not going to go to the Governor's Desk in this form. I think we all know it, it's never going to get through the House. The amendment passed the...the previous amendment passed 85-25, and I would solicit everybody's No vote on this amendment. It is a total repealer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

UPI has sought permission to take still pictures. Is leave granted? Leave is granted. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Even for those of you who do not fully agree with our community in terms of their attitude



toward lights and no lights, let me suggest to you that this amendment as a matter of principle is wrong, wrong, wrong. Not only does it wipe out entirely the State Statute and the city ordinance and leave that community without any way to protect itself in negotiating with the Tribune for some reasonable limitation, but in addition to that, it is literally...what it says, is that no home rule municipality over one million, that is Chicago, can do anything to control the time or conditions in which sporting events are to be played. That is absolutely contrary to about ninety-five percent of the decisions that we take in this General Assembly having to do with the right of a community to protect itself. So that...you know, even if you want eighteen night games or play-offs or something else, for heaven sakes, don't visit this on the City of Chicago, let alone on the citizens of Lakeview, please, vote No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I rise to apologize, I misspoke, the amendment is in fact preemptive. The question of preemption, obviously, obtains only on 3rd reading. This amendment can be adopted by a simple majority; on 3rd reading, it will obviously require an extraordinary majority. I was handed, frankly, the wrong amendment. This one is preemptive.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Luft moves the adoption of Amendment No. 2 to House Bill 793. A roll call has been requested. Those in favor of adopting Amendment No. 2 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 15, the Nays are 39, 1 voting Present. Amendment No. 2 having

failed to receive a majority vote is declared lost. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Withdraw.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Amendment No. 3 is withdrawn. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Philip, for what purpose...

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We have Virginia Macdonald's bill, 1934, that's on the same subject. I would ask leave to go to that for the purposes of an amendment...hopefully, there is some middle ground in this battle.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip, we are at 1688, 1933 and 1934. So, why don't we just do those two bills and we'll be right at 1934. On the Order of House Bills 2nd Reading, House Bill 1688, Senator Netsch. Read the bill, Mr. Secretary. For what purpose Senator Rock arise? Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1688.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The bill as it came out of committee was essentially a shell bill. It dealt only with the subject matter of allocation of the private bond cap that was decreed by Congress in last year's revenue bill. The...we've already passed one bill out of the Senate which is...effectively reenacts the Governor's Executive Orders, I'm sure that one is going to pass the House also. At the request of the House sponsors, this does all of the same things except that instead of having the allocation done by the Governor alone, it is done by a private activity bond allocation council which consists of ten members most of whom happen to be executive employees but with two appointments...I'm sorry, four appointments also by the Legislature. They wanted to have an opportunity to present this option and I agreed to do it, I've informed Senator Etheredge of this. I would move the adoption of Amendment No. 1 to House Bill 1688.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Netsch moves the adoption of Amendment No. 1 to House Bill 1688. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1933, Senator Donahue. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1933.

(Secretary reads title of bill)

HB 1934  
2nd reading

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...

ACTING SECRETARY: (MR. FERNANDES)

No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment is similar to a Senate bill that we passed out of here, Senate Bill 1260, with...which put royalties paid to people that own leases in oil wells, that an...an escrow account must be set up. We've found a better way to do it and that's what this amendment does. It just allows an for interest...payment after a hundred and fifty days. It is an agreed amendment among the oil industry and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Donahue moves the adoption of Amendment No. 1 to House Bill 1933. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1934, Senator Macdonald. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1934.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft. Senator Luft withdraws Amendment No. 1.  
Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Marovitz and Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz. (Machine cutoff)...Marovitz, Amendment  
No. 1.

SENATOR MAROVITZ:

Well, this is the same amendment that we had before. Virtually, with an immediate effective date, it...it's the one that would...would allow for lights for post-season games. Rather than going through the whole dissertation, you know what it is. It is the amendment that allows for lights for post-season games and post-season games only. It's effective immediately upon becoming law and I think this is the best way to go and make sure that the play-offs and the World Series, if the Cubs win, are in Chicago at Wrigley Field and preserve the integrity and the viability of a very important community. You know, I...we hear people stand up on this Floor all the time talking about what's good for their community, what's good for their district, what's good for their people and we vote constantly about things, projects, pork and everything else that's good for their community.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose Senator Philip arise?

SENATOR PHILIP:

A point of order, Mr. President. It's the same amendment

that we just defeated, it's dilatory and ask for a ruling of the Chair.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Just...Senator, we have in the past allowed amendments that are similar and basically similar to be heard again. I would suggest that we resolve this by hearing it and getting it over with. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. This is exactly the same amendment I've been told, and I would move the previous question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The previous question has been moved by Senator Philip. We do have Senator Chew and President Rock that seek recognition. Senator Rock...or Senator Marovitz, do you wish to make your...have you finished your presentation?

SENATOR MAROVITZ:

I'll...I'll close...I'll close.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate...Senator Rock.

SENATOR ROCK:

I...I think Senator Philip's point was not badly taken. The fact is he has another amendment which apparently will offer some middle ground. This amendment has been defeated. Senator Luft's amendment has been defeated. What are we fooling around for?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock has suggested we withdraw the amendment. Senator Marovitz.

SENATOR MAROVITZ:

First of all, I'm not going to withdraw the amendment; number two, it is not identical at all. The previous amendment had no effective date on it. This amendment now has a...an effective date, the previous amendment did not. So

it's not the same amendment at all. I mean, the fact is, we're not going to make long dissertations. Let the...let the roll call be known, let it be voted up or down. I think we...I am concerned about the viability of a community. Everybody here stands up for the rights of their community and the projects and the pork that their community needs. This legislation if...if...if the law was repealed and if...if night games were played during the regular season, the people in my community feel, and I think justifiably so, that it would be very detrimental to the quality of life and to the property values in their community, and for that reason, I along with they...am opposed to a...a total repealer or to regular season night games and would solicit your Aye vote for this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

Thank you, Mr. President...you know, I've...I've seen everything here and I'm never surprised at what happens. You defeat an amendment, then the same amendment is offered with a different line. Purposely, the first amendment did not have the effective date, so in the event it was defeated, you could come back with a second one. First of all, this purpose and time wasting that we're doing here does not belong in this Senate nor in the House, it should be settled by the City of Chicago. The way the sponsor of this amendment talks, you'd swear and be damned that the...Wrigley Field was in his district. Well, let me tell you, Wrigley Field is in Senator Netsch's district not Mr. Marovitz; and I want that known, it is not in Marovitz district, my community, my people, destroying a community. Wrigley Field has been there longer than any of us. It's going to stay there. If the community didn't like it, why in the hell did they buy the ball park and the team from old man Wrigley who had nothing

but a play toy? So now the Tribune has bought the...the team and has decided to make something out of it. They have begun to spend money to get players to play ball, they've shown how much progress they can make in baseball. Now you have one or two persons in the City of Chicago who wants to dampen all the progress that they have on the planning board. No lights...the only ball park that we know in this country that has no lights. It's a shame before God that we would take up all this time arguing in redundance, for what? If you haven't got your political leverage out of it by now, you will never get it.

PRESIDENT:

All right. Senator, will you bring your remarks to a close?

SENATOR CHEW:

You don't care nothing about a physical light in Wrigley Field, and most of the people that live in the community have not voiced their opinions, and anybody who says likewise is lying. Don't tell me about you've met with everybody in the community, that is not true, because it's impossible to get all of the people concerned and against lights in Wrigley Field. If it's a political issue, you've gotten your mileage out of it. Why don't you just let...let it go now and let's get on to do the business that the Legislature should be doing down here instead of taking up time and hours on nothing...

PRESIDENT:

The question is...question is,...

SENATOR CHEW:

...on absolutely nothing, Mr. President.

PRESIDENT:

Thank you, Senator Chew. The question is the adoption of Amendment No. 1 to House Bill...1934. All in favor indicate by saying Aye. All opposed. The opinion of the Chair, the



Noes prevail. Roll call has been requested, that request is in order. Those in favor of the amendment will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take...take the record. On that question, there are 22 Ayes, 30 Nays, 1 voting Present. The amendment fails. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Kelly...Amendment No. 2 offered by Senator Kelly.

PRESIDENT:

All right. The hour of six is upon us, we will shortly conclude if we can get down to it. Senator Kelly on Amendment No. 2.

SENATOR KELLY:

The results probably won't be any different, it's the same amendment that was just offered.

PRESIDENT:

All right. All in favor of the adoption of Amendment No. 2 indicate by saying Aye. All opposed. Noes have it. Amendment fails. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Philip.

PRESIDENT:

Senator Philip on Amendment No. 3.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Being a old, old, long, long Cub fan, hopefully, this is a compromise that everybody can buy. What it would allow would allow eighteen night games at Wrigley's Field, plus the play-offs and the World Series. It does not preempt the City of Chicago. The City of Chicago Council by a ordinance could change those games. I'll be happy to answer any questions and I would move the adoption of Amendment No. 3.

PRESIDENT:

All right. Senator Philip has moved the adoption of Amendment No. 3 to House Bill 1934. Is there any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. At the very least, Senator Philip, we understand that your amendment does not attempt to preempt the authority of the city; and for that, we and my constituents, and they are my constituents, Senator Chew, in Lakeview are grateful. We are not totally grateful for your approach to the solution of the problem, and for that reason, I will stand in opposition to the amendment. It does indeed open the door and it seems to me it opens it to what eventually will be...unless the city council otherwise decrees, and I grant you, you've allowed that as a possible restraint on it, it opens the door to night games at Wrigley Field probably not limited to the number that you have specified in here. It is that condition and what it brings with it in terms of traffic, crime, all of the other things that would be devastating to that neighborhood, that that neighborhood stands in opposition to and on their behalf, I stand in opposition also.

PRESIDENT:

All right. Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

...thank you, Mr. President. I, too, stand in opposition on behalf of my constituents, contrary to what some unknowing speaker said a few minutes ago. If a home runner is hit in right field, they're my constituents; if a home run is hit in left field, they're Senator Netsch's constituents. Last time I looked, nobody's legal voting address was...was Wrigley Field. So the constituents are divided about half and half between Senator Netsch and myself. We have been around the entire district and spoken to the vast majority of people in

our communities, as...as much as anybody can speak to their constituents and attended meetings regularly. They are opposed to regular season night games, and for that reason, for the viability of our community and the people that we represent, just like all of you represent, I would oppose this amendment.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I was one of the foolish ones who voted for the prior bill restricting that, considering that it...it was a local item. The eloquence of the prior speaker was a...got us all and I apologize for it. I think this amendment is good because it does leave it to the option of the City of Chicago, that's where it belongs, it didn't belong here and I certainly speak in favor of this amendment.

PRESIDENT:

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. As the newly appointed den mother to the Cubs, I rise in support of this amendment. I think that it is...after all a...a reasonable compromise and I think that it will bring to not only Chicago but to all of Illinois what we need to have achieved. So I would ask for your support of this amendment.

PRESIDENT:

Further discussion? Senator Lemke.

SENATOR LEMKE:

I rise in support of this amendment. I do not want to see the Cubs leave Chicago and if we don't pass this amendment, I'm afraid that someplace down the path that's going to happen, but I look at this at as a inquisition on us and the rest of the City of Chicago by a community. When you move

into a community, you accept those things that are in that community. These people that came down here from that community moved in there long after Wrigley Field was built, and they knew there was going to be baseball there, they knew there was going to be cars parking and so forth. My only criticism with Wrigley Field, is they haven't built enough parking around the field and parking lots, that's the problem, but I think that people cannot object to something in a community that's there when you move in. You accept it and if you don't like it, then you shouldn't move into that community, but you can't chase an industry out of that community. I went through this before in my former area. We lost a vital industry and with...by losing a vital industry, we lost about fourteen hundred jobs in that community; and after it was passed, everybody that was for harassing this particular industry, after they lost their jobs were crying that they...the industry left and...and they were left without jobs. And I think this is what's going to happen to the City of Chicago. If the Cubs move, we're going to lose a lot of jobs, we're going to lose a lot of tax revenues to the City of Chicago. So I rise in support of this as a compromise.

END OF REEL

REEL #4

PRESIDENT:

Any further discussion? Senator Chew.

SENATOR CHEW:

Yes.

PRESIDENT:

Briefly.

SENATOR CHEW:

Thank you, Mr. President. Now this goes to show just how sincere people are. Here is a middle of the ground compromise to put the responsibility back in the City of Chicago and the staunch supporters of previous amendments are in opposition to this. I'll tell you why. Because you don't get no ink down here when it's in Chicago and they don't really care. I'm going....

PRESIDENT:

The question is the adoption of Amendment No. 3 to House Bill 1934. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 10 Nays, 1 voting Present. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Gentlemen and ladies, we have one bit of emergency business. If you'll turn to page 24 on the Calendar. With leave of the Body, we'll move to House bills 3rd reading for the purpose of House Bill 991. On the Order of House Bills 3rd Reading is House Bill 881. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 881.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. And I appreciate the Illinois Library Association legislation which is of an emergency nature. House Bill 881 amend the states that when the library holds a successful tax increase referendum after their September levy ordinance, the following date...and at the November election an amended levy ordinance may be filed by November 30th and be effective for the next levy year. This addresses a specific problem faced by the Poplar Creek Library District and satisfies prior objections by the Cook County Clerk. This is an emergency situation in response to a court order issued June 5th in which the judge indicated that the way to remedy the situation is to pass this legislation immediately so that the tax bills can be printed at the voter approved level and it must be signed by the Governor by June...23, and I would appreciate a favorable vote.

PRESIDENT:

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 881 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, there are 53 Ayes, 1 Nay, 1 voting Present. House Bill 881 having received the required constitutional majority is declared passed. Gentlemen and ladies, we have only some housekeeping resolutions, one that Senator Geo-Karis...wished to suspend the rules on and then we will adjourn until noon tomorrow; and we will attempt to conclude our business so

that we can leave Springfield...by midafternoon, if that's doable. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 383 offered by Senator Davidson and all Senators. It's congratulatory.

Senate Resolution 384 offered by Senator Mahar. It's congratulatory.

Senate Resolution 385 offered by Senators...Lechowicz and all Senators, and it's a death resolution.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 386 offered by Senators Geo-Karis, Philip and Rock.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I move to suspend the appropriate rules that we could have immediate consideration of this Senate Resolution 386.

PRESIDENT:

All right. Senator Geo-Karis has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 386. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senate Resolution 386, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate.

(Senator Geo-Karis reads S.R. 386)

Mr. President, Ladies and Gentlemen of the Senate, I do not like to see travel to Greece stopped, but, however, I do wish to see a thorough investigation into that incident of TWA Flight 847 and the people who were...the laxity...the

people who were lax in the security form be called to account to the government, and I ask favorable consideration of this resolution.

PRESIDENT:

All right. Senator Geo-Karis has moved the adoption of Senate Resolution 386. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Any further business? Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

Thank you, Mr. President. I wish to have my name removed as the primary sponsor of Senate Bill 1132 and to have Senator Rock's name...as chief sponsor in its place.

PRESIDENT:

All right. On the Order of Secretary's Desk Concurrence is Senate Bill 1132. The lady seeks leave to remove herself as chief sponsor and insert Senator Rock. Without objection, leave is granted. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. A reminder to those fortunate enough to serve on Appropriations I that we will be having the next to the last meeting of the committee at nine o'clock tomorrow morning in Room 212. The party is always the last meeting. Nine o'clock in Room 212.

PRESIDENT:

All right. Nine o'clock in the morning for Appropriations I. I might remind the members on the Democratic side that there is to be a brief meeting in 212 immediately upon adjournment that will be chaired by Senator Berman. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Thank you, Mr. President. With leave of the Body, I'd



like to have Senator O'Daniel shown as the lead sponsor on the House Bill 952 and my name removed.

PRESIDENT:

All right. 952, the gentleman seeks leave to substitute Senator O'Daniel as the chief sponsor. Without objection, leave is granted. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, Mr. President, with leave of the Body, I would like to be shown as a joint sponsor to House Bill 935.

PRESIDENT:

935, the lady seeks leave to be shown as a joint sponsor. Is leave granted? Leave is granted. Senator MacDonald, for what purpose do you arise?

SENATOR MACDONALD:

Mr. President, thank you for allowing Margaret Smith and me to tag for Salvation Army, and it is my privilege to say that Margaret Smith was the...one...one of the best taggers for Salvation Army Day out of this Body. She received almost a hundred dollars, ninety dollars and seventy-seven cents, and we certainly want to thank her on behalf of the Salvation Army.

PRESIDENT:

Senator Smith, you're to be congratulated. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Seek leave to be added as a hyphenated cosponsor of 335.

PRESIDENT:

335, the gentleman seeks leave to be added as a hyphenated cosponsor. Is leave granted? Leave is granted. Any further business to come before the Senate? Appropriations at nine, the Session will commence at noon, and I will do my utmost to make sure we're all out of here by midafternoon. Senate stands adjourned till noon tomorrow.