

85TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 11, 1987

PRESIDENT:

The hour of one-thirty having arrived, the Senate will please come to order. Will the members be at their desks, and will our guests in the gallery please rise. Our prayer this afternoon by the Reverend Patrick Sommers, Cedarville United Methodist Church, Cedarville, Illinois. Reverend.

REVEREND SOMMER:

(Prayer given by Reverend Sommer)

PRESIDENT:

Thank you, Reverend. Reading of the Journal, Madam Secretary.

SECRETARY:

Senate Journal of Wednesday, May 20th, 1987; Thursday, May 21, 1987; Friday, May 22nd, 1987; Wednesday, May 27, 1987.

PRESIDENT:

Senator Hall.

SENATOR HALL:

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

PRESIDENT:

You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Senator Brookins, for what purpose do you arise sir?

SENATOR BROOKINS:

Thank you, Mr. President. I rise on a point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR BROOKINS:

I have at my desk with me Senator Chew's son, Lorenzo

Chew, who is now one of the directors of the Chicago Police...Department. Senator Chew and I'd like for us to welcome him if possible.

PRESIDENT:

Lorenzo, welcome back to Springfield. Nice to see you again. With leave of the Journal...I mean, with leave of the Body, the Daily Journal of Wheaton, Illinois, a Copley Newspaper, has requested permission to have their photographer photograph the Senate today. Without objection, leave is granted. Committee reports, Madam Secretary.

SECRETARY:

Senator J. J. Joyce, chairman of the Committee on Executive, reports House Bills Noed. 3, 263, 305, 321, 494, 703, 708, 718, 726, 859, 862, 932, 975, 931, 1010, 1058, 1068, 1071, 1133, 1145, 1326, 1373, 1415, 1446, 1493,...pardon me, 1494, 1513, 1616, 1623, 1647, 1681, 1684, 1780, 1781, 1798, 1866, 1896, 1919, 1925, 1954, 2011, 2034, 2065, 2102, 2113, 2164, 2173, 2175, 2193, 2206, 2222, 2225, 2226, 2228, 2276, 2331, 2389, 2428, 2445, 2454, 2465, 2604, 2630, 2670, 2803, 2850 and 2852 Do Pass.

And House Bills Noed. 113, 117, 259, 428, 705, 709, 798 and 1188 and 1194 Do Pass as Amended.

And Senate Resolution 262 do adopt.

Senator Holmberg, chairman of the Committee on Local Government, reports House Bills Noed. 57, 87, 298, 316, 429, 576, 671, 724, 801, 866, 868, 939, 979, 998, 1002, 1015, 1096, 1101, 1253, 1278, 1281, 1392, 1438, 1454, 1497, 1509, 1768, 1819, 1875, 1912, 1922, 1934, 2239, 2406, 2746 Do Pass.

And House Bills Noed. 63, 1072, 1291,...1923, 2373, 2785 Do Pass as Amended.

Senator Netsch, chairman of the Committee on Revenue, reports House...reports House Bills Noed. 73, 252, 398, 745, 1168, 1218, 1295, 1920 and 2826 Do Pass.

And House Bills Noed...976, 1888 and 1956 Do Pass as

Amended.

Senator Poshard, chairman of the Committee on Labor and...Commerce, reports House Bills Noed. 106, 332, 423, 461, 627, 898, 1035, 1060, 1290, 1680, 1848, 2031, 2032 and 2033 Do Pass.

And House Bills Noed. 755, 810, 1034, 1310 and 2022 Do Pass as Amended.

PRESIDENT:

Senator Hall, I think I forgot one of your motions, I apologize. Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I move that readings and approval of the Journals of Thursday, May 28th; Tuesday, June the 2nd; Wednesday, June the 3rd; Thursday, June the 4th; Friday, June the 5th; Tuesday, June the 9th and Wednesday, June 10th, in the year 1987, be postponed pending arrival of the printed Journals.

PRESIDENT:

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

SECRETARY:

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

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

House Bill 144.

(Secretary reads H. B. 144)

Passed the House June 10, 1987.

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

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following

joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 93.

It is a death resolution.

PRESIDENT:

Consent Calendar.

SECRETARY:

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

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

House Joint Resolution 95.

And it is congratulatory.

PRESIDENT:

Consent Calendar, Madam Secretary. Resolutions.

SECRETARY:

Senate Resolution 363 offered by Senator Dudycz.

Senate Resolution 369 offered by Senator Dudycz.

Senate Resolution...370 offered by Senator Dudycz and all Senators.

And they're all congratulatory.

PRESIDENT:

Consent Calendar. Okay. I thought I lost you, Doc. All right. We'll begin where we left off yesterday, we stopped...peremptorily in front of Senator Davidson. Page 27. If you'll turn to page 27 on the Calendar. We will proceed on the Order of House Bills 2nd Reading and move as many as we can in the remaining time before we have to go to committee. Middle of page 27, Madam Secretary. On the Order of House Bills 2nd Reading is House Bill 2162. Read the bill, please.

SECRETARY:

House Bill 2162.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Davidson on Committee Amendment No. 1.

SENATOR DAVIDSON:

I'd move the adoption of Committee Amendment No. 1. It's a very simple change, it strikes "a hundred and twenty days" and replaces with "ninety days." Move the adoption.

PRESIDENT:

Senator Davidson has moved the adoption of Committee Amendment No. 1 to House Bill 2162. 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. 2180, Senator Garkhausen. 2183, Senator Alexander. On the Order of House Bills 2nd Reading is House Bill 2183. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2183.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Alexander, on Committee Amendment No. 1.

SENATOR ALEXANDER:

Thank you, Mr. President. This amendment was recommended by the Department of Public Aid, and I have agreed to accept

the amendment as suggested by that department.

PRESIDENT:

Senator Alexander moves the adoption of Committee Amendment No. 1 to House Bill 2183. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2203, Senator Demuzio. On the Order of House Bills 2nd Reading is House Bill 2203. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2203.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2207, Senator Jones. 2211, Senator Keats. On the Order of House Bills 2nd Reading is House Bill 2211. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2211.

(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. 2219, Senator Schaffer. On the Order of House Bills 2nd Reading is House Bill 2219. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2219.

(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. 2227, Senator Donahue. On the Order of House Bills 2nd Reading is House Bill 2227. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 2227.

(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. 2230, Senator Watson. On the Order of House Bills 2nd Reading, bottom of page 27, House Bill 2230. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2230.

(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. Top of page 28, 2236, Senator Donahue. On the Order of House Bills 2nd Reading is House Bill 2236. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2236.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Donahue on Committee Amendment No. 1.

SENATOR DONAHUE:

Take it out.

PRESIDENT:

Take it out of the record, please, Madam Secretary. 2256, Senator Kustra. 2258, Senator Demuzio. On the Order of House Bills 2nd Reading, top of page 28, is House Bill 2258. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2258.

(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. 2269. On the Order of House Bills 2nd Reading is House Bill 2269. Read the bill, Madam Secretary.

SECRETARY:

AB 2226
2nd Reading

House Bill 2269.

(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. 2274. On the Order of House Bills 2nd Reading is House Bill 2274. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2274.

(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. 2304, Senator Holmberg. 2320, Senator Geo-Karis. On the Order of House Bills 2nd Reading is House Bill 2320. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2320.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No...no Floor amendments.

PRESIDENT:

3rd reading. 2326, Senator Barkhausen. On the Order of House Bills 2nd Reading is House Bill 2326. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2326.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Barkhausen, on Committee Amendment No. 1.

SENATOR BARKHAUSEN:

Mr...Mr. President and members, House Bill 2326 dealing with the Vital Records Act permits the Department of State Police to register fictitious vital records for purposes of undercover investigations and witness protection. Committee Amendment No. 1 limits the purposes for which false records could be provided to protection for witnesses and law enforcement...personnel and requires the director of the Department of State Police to determine that normal investigative procedures are inadequate and also provides for the destruction of false records when no longer needed. I'd move the adoption of this amendment.

PRESIDENT:

All right. Senator Barkhausen has moved the adoption of Committee Amendment No. 1 to House Bill 2326. 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. 2328. On the order...no. 2330. On the Order of House Bills 2nd Reading is House Bill 2330. Read

HB 2350
and reading

the bill, Madam Secretary.

SECRETARY:

House Bill 2330.

(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. 2350, Senator Harovitz. Bottom of page 28.

On the Order of House Bills 2nd Reading is House Bill 2350.

Read the bill, Madam Secretary.

SECRETARY:

House Bill 2350.

(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. 2353, Senator Jones. 2358, Senator

Barkhausen. On the Order of House Bills 2nd Reading is House

Bill 2358. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2358.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Madigan, 2360. Bottom of page 28.
On the Order of House Bills 2nd Reading is House Bill 2360.
Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 2360.

(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. Top of page 29, 2362. On the Order of
House Bills 2nd Reading is House Bill 2362. Read the bill,
Madam Secretary.

SECRETARY:

House Bill 2362.

(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. 2366. On the Order of House Bills 2nd
Reading is House Bill 2366. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2366.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Woodyard, 2367. On the Order of House Bills 2nd Reading is House Bill 2367. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2367.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Woodyard on Committee Amendment No. 1.

SENATOR WOODYARD:

Thank you, Mr. President. It's my understanding this amendment actually changes the context of a request to a request for four years in reexamination of...of the hazardous conditions that...that have to do with school bus hauling. And...and they would...be reviewed every four years rather than no time frame within that. I would move for its adoption.

PRESIDENT:

Senator Woodyard has moved the adoption of Committee Amendment No. 1 to House Bill 2367. 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. 2370, Senator Donahue. On the Order of House Bills 2nd Reading is House Bill 2370. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2370.

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

PRESIDENT:

Senator Donahue on Committee Amendment No. 1.

SENATOR DONAHUE:

Thank you, Mr. President. Committee Amendment No. 1 was at the request of the Democrat staff and it is purely technical.

PRESIDENT:

Senator Donahue has moved the adoption of Committee Amendment No. 1 to House Bill 2370. 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. 2371, Senator Topinka. On the Order of House Bills 2nd Reading is House Bill 2371. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2371.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

HB 2377
2nd Reading

PRESIDENT:

3rd reading. 2376, Senator Donahue. On the Order of House Bills 2nd Reading is House Bill 2376. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2376.

(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. 2377, Senator Woodyard. On the Order of House Bills 2nd Reading is House Bill 2377. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2377.

(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. 2378, Senator Woodyard. 2379, Senator Woodyard. On the Order of House Bills 2nd Reading is House Bill 2379. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2379.

(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. 2380, Senator Joyce. 2401, Senator Jones.
I beg your pardon, Senator Woodyard.

SENATOR WOODYARD:

Mr. President, on 2380...

PRESIDENT:

Yes.

SENATOR WOODYARD:

...with permission of the sponsor and leave of the Body,
I would like to be added or...or put on as chief sponsor and
Senator Joyce as hyphenated on 2380.

PRESIDENT:

All right. The gentleman seeks leave of the Body to be
shown as the chief Senate sponsor of House Bill 2380 with
Senator Jerome Joyce as the hyphenated cosponsor, Madam
Secretary. With leave of the Body, it will be so ordered.
On the Order of House Bills 2nd Reading, you wish to move it,
Senator Woodyard? Do you want to move it? No, okay, hold on
to it. 2401, Senator Jones. 2470, Senator Kustra. 2476,
Senator Topinka. On the Order of House Bills 2nd Reading,
bottom of page 29, is House Bill 2476. Read the bill, Madam
Secretary.

SECRETARY:

House Bill 2476.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

Yeah, take it out of the record, I think there's to be an

amendment coming. Yes, right. Take it out of the record. 2477, Senator Jacobs. On the Order of House Bills 2nd Reading, top of page 30, ladies and gentlemen, is House Bill 2477. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2477.

(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. 2493, Senator Joyce. 2507, Senator Marovitz. 2574, Senator Netsch. 2576, Senator Degnan. 2577, Senator Netsch. 2580, Senator Marovitz. On the Order of House Bills 2nd Reading is House Bill...middle of page 30...is House Bill 2580. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2580.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Marovitz on Committee Amendment No. 1.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Amendment No. 1 to House Bill 2580 sets up what due notice is for a body attachment. And I would ask for adoption of Amendment No. 1.

PRESIDENT:

All right. Senator Marovitz has moved the adoption of Committee Amendment No. 1 to House Bill 2580. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Fur-

ther amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2583, Senator Degnan. 2584, Senator Barkhausen. On the Order of House Bills 2nd Reading, House Bill 2584. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2584.

(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. 2585. On the Order of House Bills 2nd Reading is House Bill 2585. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2585.

(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. 2591. 2594, Senator Vadalabene. On the Order of House Bills 2nd Reading is House Bill 2594. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2594.

(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. 2607, Senator Barkhausen. Bottom of page 30, Senator Barkhausen. Okay. 2609, Senator Fawell. On the Order of House Bills 2nd Reading, top of page 31, is House Bill 2609. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2609.

(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. 2619, Senator Schuneman. 2625, Senator Brookins. On the Order of House...I beg your pardon, Senator Schuneman. On the Order of House Bills 2nd Reading is House Bill 2619. Read the bill.

SECRETARY:

House Bill 2619.

(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. 2625, Senator Brookins. On the Order of House Bills 2nd Reading is House Bill 2625. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2625.

(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. 2674, Senator Mahar. On the Order of House Bills 2nd Reading is House Bill 2674. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2674.

(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. 2680, Senator Joyce. On the Order of House Bills 2nd Reading is House Bill 2680. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2680.

(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. 2699, Senator Barkhausen. On the Order of House Bills 2nd Reading is House Bill 2699. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 2699.

(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. 2700, Senator Barkhausen. 2717, Senator Berman. On the Order of House Bills 2nd Reading is House Bill 2717. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2717.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Berman, on Committee Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 1 requires that in instances when voters in at least two affected unit school districts approve a referendum to combine districts, what voters in one or more districts approve the same referendum, a revised combination petition...including districts where voters approve the petition must be filed. It's a...I'd move the adoption of Committee Amendment No. 1.

PRESIDENT:

All right. Senator Berman has moved the adoption of Committee Amendment No. 1 to House Bill 2717. 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:

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2727, Senator Kustra. 2729, Senator Berman. On the Order of House Bills 2nd Reading is House Bill 2729. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2729.

(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. 2740, Senator Berman. On the Order of House Bills 2nd Reading is House Bill 2740. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2740.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Berman on Committee Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President. The amendment does a...was discussed in committee. It deals with the option of the court regarding...regarding restitution and the seizure by the sheriff of the property of the defendant. Move the adoption of Committee Amendment No. 1.

PRESIDENT:

...Senator Berman has moved the adoption of Committee Amendment No. 1 to House Bill 2740. 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. Senator Hall. On the Order of House Bills 2nd Reading is House Bill 2749. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2749.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. Chairman. This Amendment No. 1 removes all the controversial portions of the bill. The...this amendment was requested by the committee and it removes the portion of the bill that permits a tax increase for a multiple county jail. And I'd move for the adoption of this

amendment.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 2749. 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. 2758, Senator Donahue. Top of page 32, we'll finish 2nd reading and adjourn. Top of page 32. Senator Barkhausen, 2766. On the Order of House Bills 2nd Reading is House Bill 2766. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2766.

(Secretary reads title of bill)

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

PRESIDENT:

Committee Amendment No. 1, Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Committee Amendment No. 1 on House Bill 2766 incorporates the provisions of House Bill 1917 which, I guess, never really got a hearing in the House. It embodies a number of recommendations made by the Comptroller's Office which does regulate the Preneed Cemetery Sales Act and incorporates a number of...of different provisions which I'd be happy to explain. That is Amendment No. 1 and I would move its adoption.

PRESIDENT:

Senator Barkhausen has moved the adoption of Amendment No. 1 to House Bill 2766. Discussion? Senator Smith, on this amendment? All right. Senator Barkhausen moves the adoption of Committee Amendment No. 1 to House Bill 2766. Any discussion? Senator Demuzio. Mr. Chairman, can we break up that meeting in front of Senator Demuzio. Thank you.

SENATOR DEMUZIO:

I just want to...be clear in Senator Barkhausen's explanation that we had a yellow sheet in the file. Does this...amendment is the one that removes the class and felony...penalties for the...second and subsequent convictions or is that another amendment to come?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

That's the next amendment.

PRESIDENT:

Floor amendment coming. All right. Senator Barkhausen has moved the adoption of Committee Amendment No. 1 to House Bill 2766. 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:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Amendment...No. 2, Mr. President and members, is the amendment which reduces the penalty from a Class 4 felony to a Class A misdemeanor for a violation of this Act. And I

would move its adoption.

PRESIDENT:

All right. Senator Barkhausen has moved the adoption of Amendment No. 2 to House Bill 2766. 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. 2790, Senator Keats. On the Order of House Bills 2nd Reading is House Bill 2790. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2790.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and Credit Regulations offers one committee amendment.

PRESIDENT:

Senator Keats on Committee Amendment No. 1.

SENATOR KEATS:

Committee Amendment No. 1 was requested by the commissioner of banks and it simply makes the bill identical to Senate Bill 1415 that Senator Luft and I sponsored. And I would move passage of Committee Amendment 1.

PRESIDENT:

All right. Senator Keats has moved the adoption of Committee Amendment No. 1 to House Bill 2790. 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. 2795. On the Order of House Bills 2nd Reading is House Bill 2795. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 2795.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and Credit Regulations offers one committee amendment.

PRESIDENT:

Senator Keats on Committee Amendment No. 1.

SENATOR KEATS:

Committee Amendment No. 1 was again requested by the commissioner of banks, and although the amendment does have some minor controversy, I have spoken to the opponents and they said, go ahead, move it to 3rd reading, we'll worry about the bill on 3rd reading. It changes words, "facilities, branches, et cetera." And I would request concurrence with the commissioner's amendment.

PRESIDENT:

Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yeah. I...I just had one question, and that is, with the adoption of this amendment, does this now put this bill in the posture that it would take an extraordinary majority as required in the Constitution in order to pass?

PRESIDENT:

Senator Keats.

SENATOR KEATS:

It was our understanding...of course, I would bow to the President of the Senate's wisdom, as I always do, that it probably would not take that, but that's a decision that the

President would make. My understanding is it's simply a word change and not a substantive change and for that reason would remain at thirty.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, then I would make a request to the Chair early on that there...that there be a ruling when this bill is...is on 3rd reading that we have some idea as to whether or not this, in fact, does constitute that which is provided for in the Constitution. I'm trying to avoid all those buzzwords like branch banking, things like that. So...I would request that the...that the Chair be ready to...to make a ruling on this at the proper time.

PRESIDENT:

That request is in order, the Chair will be ready. Senator Keats has moved the adoption of Committee Amendment No. 1 to House Bill 2795. If no further discussion, 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. 2797, Senator Dunn. 2802, Senator Schaffer. On the Order of House Bills 2nd Reading is House Bill 2802. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2802.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Schaffer offers Amendment No. 1.

PRESIDENT:

Senator Schaffer on Amendment No. 1.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this amendment...just states that the bill would apply in relation to the Disaster Relief...Act or any successor Act since there's another bill moving through the process to redo the Disaster Relief Act. This would just say that this particular bill would then be in sync with the new rewrite should it pass.

PRESIDENT:

All right. Senator Schaffer has moved the adoption of Amendment No. 1 to House Bill 2802. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2806, Senator Weaver. 2807, Senator Mahar. 2810, Senator Geo-Karis. On the Order of House Bills 2nd Reading is House Bill 2810. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2810.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Geo-Karis offers Amendment No. 1

PRESIDENT:

Senator Geo-Karis on Amendment No. 1.

SENATOR GEO-KARIS:

...Mr. President and Ladies and Gentlemen of the Senate, committee amendment...I mean, Floor Amendment No. 1 clarifies the...that the Capital Development Board is authorized with the consent...of the Governor to acquire by condemnation in the manner provided for the exercise of the power of eminent domain under Article VII of the Code of Civil Procedure, "all lands, buildings and grounds for which an appropriation may be made by the General Assembly" and et cetera. This follows when...this Capital Development Board had a different name before they did have that power. This is giving them the same power that the board before had. And I move the passage of this amendment.

PRESIDENT:

All right. Senator Geo-Karis has moved the adoption of Amendment No. 1 to House Bill 2810. Any discussion? If not, all...Senator Demuzio.

SENATOR DEMUZIO:

Well, no...no disrespect to the sponsor but this originally started out as a...a vehicle bill and I didn't hear one syllable of the explanation that was just given. I was wondering perhaps if we could have another explanation.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator Demuzio, if you will look at the...even the...the...it amends the Capital...Development Board Act. I did explain it, and if you'll look at the bill, it does cover the...condemnation and all this does is clarify it more specifically.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well,...I've just been handed the amendment. It says, if

I can have the attention of the membership, that this...that the Capital Development Board is authorized with the consent in writing of the Governor to acquire by condemnation in the manner provided for the exercise of the power of eminent domain under Article VII of the Code of Civil Procedure. I mean, I really don't understand what we are doing here, perhaps you could really enlighten us a little more, because I...I think that section right there is a little controversial, at least from my own respect.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, we have...what you just read is in...is in it, that's right in the amendment, and it also has Section 9.08B giving the board power to subpoena and...bring before it any person...in conjunction with hearings...regarding suspension, the prequalification of contractors, architects, engineers, sureties or insurance carriers, and to take testimony either orally or by deposition or both with the same fees and mileage in the same manner as prescribed by law in judicial hearings. And...it just goes on about...the amendment covers Section 6T, which...and that's not where the change is, the...the other change is on page 3 of the amendment, "that shall be also paid and...all builders risk insurance policy proceeds and all other funds recovered from contract assurances, architects, material suppliers or other persons contracted by the Capital Development Board for capital improvement projects which are received by way of reimbursement for losses resulting from destruction of or damage to capital improvement projects while under construction by the Capital Development Board. And the next paragraph on page 3 of the amendment, and this is the new language, "Contributions, insured loss for reimbursements or other funds received as damages through settlement or judgement for

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damage, destruction or loss of capital improvement projects shall be expended for the repair of such projects. Any funds not expended for the specific project shall be paid into the General Obligation Bond Retirement and Interest Fund." And that's...those are the changes, sir.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Geo-Karis, we...we...we have just now seen this amendment. You know, you're talking about the power of eminent domain, you're talking about subpoena powers for the CDB. Why don't we just take this out of the record, give our staff a chance to take a look at this and...

PRESIDENT:

All right. The lady...the lady has agreed. Take it out of the record, Madam Secretary, and we'll get back to it. 2825, Senator Barkhausen. I beg your pardon, take it...there is also another amendment pending, so if you'd send the staff up here, we'll get a second amendment to this same gem. 2825, Senator Barkhausen. 2827. On the Order of House Bills 2nd Reading is House Bill 2827. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2827.

(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. 2838, Senator Barkhausen. On the Order of House Bills 2nd Reading is House Bill 2838. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2838.

(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. 2865, Senator Weaver. On the Order of House Bills 2nd Reading is House Bill 2865. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2865.

(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. 2867, Senator Hudson. On the Order of House Bills 2nd Reading is House Bill 2867. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2867.

(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. 2868. On the Order of House Bills 2nd

Reading is House Bill 2868. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2868.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and Credit Regulations offers one committee amendment.

PRESIDENT:

Senator Hudson on Committee Amendment No. 1.

SENATOR HUDSON:

Thank you, Mr. President. All Committee Amendment No. 1...Committee Amendment No. 1 did three things. It took out two commas and added one comma in a sentence for better sentence structure, and that's all Committee Amendment No. 1, and I would move adoption.

PRESIDENT:

All right. Senator Hudson has moved the adoption of Committee Amendment No. 1 to House Bill 2868. 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. 2871, Senator Hudson. On the Order of House Bills 2nd Reading is House Bill 2871. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2871.

(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. Ladies and gentlemen, we will conclude at that point. With leave of the Body, Madam Secretary, we will go to the Order of Resolutions.

SECRETARY:

Senate Resolution 371 offered by Senator Severns.

Senate Resolution 372 offered by Senators Rock...pardon me, Senators Kelly, Watson, Rock and Philip.

Senate Resolution 373 offered by Senator Topinka.

Senate Resolution 374 offered by Senator Holmberg.

Senate Resolution 375 offered by Senator Harovitz.

And they are all congratulatory.

PRESIDENT:

Consent Calendar, Madam Chairman. All right. Any announcements? Any announcements or further business? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, I just wanted to announce that Senator Karpel is absent today due to illness in the family.

PRESIDENT:

The record will so reflect. Thank you. Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. I'd like to be added as a hyphen cosponsor to House Bill 1424.

PRESIDENT:

All right. The lady seeks leave of the Body to be added as a hyphenated cosponsor on House Bill 1424. Without objection, leave is granted. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would like to call attention to everyone who's on Appropriation II. If you would...soon as we adjourn, if you'd come to Room 212 we could get started right away and then we could get out at a reasonable time. Thank you.

PRESIDENT:

Appropriations II, immediately after adjournment in Room 212. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like to call attention to the members of Public Health, Welfare and Corrections. We will meet at quarter of three in Room 400.

PRESIDENT:

All right...

SENATOR SMITH:

I would like now for all the members of the Democratic...Democrats of the committee to meet with me in the room behind the Podium.

PRESIDENT:

All right.

SENATOR SMITH:

In just ten minutes. All members, please, of the Democratic side.

PRESIDENT:

All right. Public Health, Room 400, at two forty-five. Senator Kelly.

SENATOR KELLY:

Thank you, Mr...President. I'd like to...point of privilege...mention that there will be a baseball practice hopefully at five o'clock, two blocks west of the Stratton Building. And I would appreciate if our athletes would show up there in...in strong numbers.

PRESIDENT:

Baseball practice, five o'clock, for those of you who are out of committee. Senator Jones.

SENATOR JONES:

Thank you, Mr. President. For the members of the Insurance...Committee meeting, we will meet at 7:00 p. m., the recessed meeting will begin at 7:00 p. m. If you're there on time, we should be out of there within a half an hour. 7:00 p. m., Room 400.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Elections Committee will meet promptly at two-thirty and we should conclude quickly.

PRESIDENT:

All right. Elections Committee immediately after adjournment. Senator Collins.

SENATOR COLLINS:

Transportation meeting tomorrow morning at 9:00 a. m. in Room 212. We have a...a large number of bills to consider. We appreciate everyone being on time.

PRESIDENT:

All right. Nine o'clock, tomorrow morning, Transportation. Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and members of the Senate. I would like to move for immediate consideration of Senate Resolution 371. It's a congratulatory resolution for a fiftieth anniversary.

PRESIDENT:

All right. Senator Severns has moved to suspend the rules for the immediate consideration of Senate Resolution 371, a congratulatory which will be, I presume, given this evening. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The

motion...the rules are now suspended. Senator Severns now moves the adoption of Senate Resolution 371. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Brookins.

SENATOR BROOKINS:

Yes, Mr. President, with permission of the Body, I'd like to become a hyphenated cosponsor of House Bill 2207.

PRESIDENT:

All right. The gentleman seeks leave of the Body to be added as the hyphenated cosponsor, 2207. Without objection, leave is granted. Senator Raica.

SENATOR RAICA:

Mr. President, I'd like leave of the Body to be added as a hyphenated cosponsor to House Bill 337 with permission of the chief sponsor.

PRESIDENT:

All right. The gentleman seeks leave of the Body to be added as the hyphenated cosponsor on House Bill 337. Without objection, leave is granted. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I would ask leave to have Senator Topinka added as a hyphenated cosponsor on House Bill 245.

PRESIDENT:

2-4-5. The gentleman seeks leave to add Senator Topinka as the cosponsor. Without objection, leave is granted. Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. I'd like to reintroduce to some and to others the leader of the Jones family...Senator Jones' family, his wife, who is the leader of that household.

PRESIDENT:

The speaker of the Jones' house, welcome Mrs. Jones. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I also would like to get leave to be a hyphenated sponsor on House Bill 2070 and House Bill 2825.

PRESIDENT:

All right. The gentleman seeks leave to be added as the hyphenated cosponsor on House Bill 2-0-7-0, 2070, and...what, I'm sorry,...2825, House Bill 2-8-2-5. Without objection, leave is granted. Any further business? Further announcements? Don't forget committees promptly after Session and tomorrow morning. The Senate will stand adjourned until Friday...Friday, tomorrow morning, at eleven-thirty. Eleven-thirty, with a little luck we can be out of here within an hour. Eleven-thirty tomorrow morning. The Senate stands adjourned.

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