

85TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 17, 1988

PRESIDENT:

The hour of nine having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by Rabbi Barry A. Marks, Temple Israel, Springfield, Illinois. Rabbi.

RABBI BARRY MARKS:

(Prayer given by Rabbi Barry Marks)

PRESIDENT:

Reading of the Journal, Madam Secretary. Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. I move that reading...approval of the Journal of Tuesday, June 7th; Wednesday, June 8th; Thursday, June 9th; Friday, June 10th; Tuesday, June 14th; Wednesday, June 15th and Thursday, June 16th, in the year 1988, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it 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 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 205. It is congratulatory.

A Message from the House by Mr...

PRESIDENT:

Consent Calendar.

HB 589
Recalled

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 concurred with the Senate in the passage of a bill of the following title, to-wit:

Senate Bill 1285 with House Amendments 1 and 6.

I have like Messages with...regard to Senate Bill 1285 and House Amendments 1 and 6.

Senate Bill 1707 with House Amendment 1.

Senate Bill 1987 with House Amendment 1.

Senate Bill 1996 with House Amendment 1.

Senate Bill 2040 with House Amendment 1.

And Senate Bill 2124 with House Amendment 1.

PRESIDENT:

All right. Ladies and gentlemen, as we indicated yesterday, we will begin on the Order of Recalls. All of you have received that sheet that's dated Thursday, June 16. As of last night, we had these bills on the recall. We'll try to go through these and then we'll begin again on 3rd reading, and as I indicated, we will attempt to conclude our business promptly at the hour of noon so that those who have travel arrangements can be accommodated. Madam Secretary, then with leave of the Body, we'll move to the Order of House Bills 3rd Reading. Bottom of page 2, on the Order of House Bills 3rd Reading is House Bill 589. Senator Luft seeks leave of this 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 is House Bill 589, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Luft.

PRESIDENT:

Senator Luft on Amendment No. 2.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 2 is a...an amendment to satisfy concerns that were expressed by the EPA. There are four parts to the amendment. The first deletes the requirement that EPA train and certify solid waste technicians. They did not have the money nor the time nor personnel to satisfy this requirement, so we deleted it. We also state that the operation of a solid waste disposal facility without certified technicians is not a violation of the EPA Act. We...a...we...a qualified solid waste energy facility is also any facility using any amount of methane gas; now that states that it has to be the primary. And we direct the Illinois Commerce Commission to regulate the price of electricity from facilities fueled by landfilled generated methane gas. That is the same formula that we used in last year's bill that we passed on the purchase of electricity from a waste to energy facility. And I would move for the adoption of Amendment No. 2 to House Bill 589.

PRESIDENT:

Senator Luft has moved the adoption of Amendment No. 2 to House Bill 589. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Hudson. I saw Senator Hudson. Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

Yeah, Mr. President, the other day I made a motion to delete Senator Hudson as the lead sponsor and for him to be replaced by me. Apparently that hasn't taken effect yet, but I am the designated lead sponsor on this bill.

PRESIDENT:

Yes, it looks that way on the Calendar. 2793. Bottom of page 3 on the Calendar, Senator D'Arco. All right. Ladies and gentleman, bottom of page 3, on the Order of House Bills 3rd Reading is House Bill 2793. Senators D'Arco and Hudson seek 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 is House Bill 2793, Madam Secretary.

SECRETARY:

The Committee on Finance and Credit Regulations offers Committee Amendment No. 1.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Committee Amendment No. 1 provides that corporate trustees may enter into agreements with affiliated banks of the trustee and to pay reasonable compensation for those services rendered by such banks. But nothing in this section...shall be construed as removing any depositary arrangements from the requirements of the prudent person rule. So, everybody has to meet the prudent person rule which is required by law. And I would move to adopt Amendment No. 1.

PRESIDENT:

Senator D'Arco has moved the adoption of Amendment No. 1 to House Bill 2793. 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 4. On the Order of House Bills 3rd Reading is House Bill 2909. Senator Netsch 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 is House Bill 2909, Madam Secretary.

SECRETARY:

Senators Netsch and Rigney offer Amendment No. 1.

PRESIDENT:

Senator Netsch on Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. The amendment was requested by the County Assessment Officers' Association and it is designed to clarify what is now believed to be a...an ambiguity in the law having to do with the assessment of coal. The Legislature passed a bill effective January 1, '87 which dealt with the assessment of coal. There is another paragraph which seems not to be consistent with that having to do with...the difference between developed and nondeveloped coal. This is intended to put them both in the same synk and to clarify that. And I would move the adoption of Amendment No. 1 to 2909.

PRESIDENT:

Senator Netsch has moved the adoption of Amendment No. 1 to House Bill 2909. 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. 3085, Senator Savickas. Not here. 3297, Senator Luft. Senator Luft on the Floor? 3379, Senator Brookins. On the Order of House Bills 3rd Reading is House Bill 3379. Yes. Senator Brookins. All right.

SENATOR BROOKINS:

Mr...

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

...Mr. President, can we come back to this? Can we pass this?

PRESIDENT:

Well, we'll skip it. We'll get back to it next week. 3408, Senator Brookins. All right. We'll skip that one too. 3415, Senator Donahue. Bottom of page 6, ladies and gentlemen, on the Order of House Bills 3rd Reading is House Bill 3415. Senator Donahue 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 is House Bill 3415. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator O'Daniel.

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, Floor Amendment No. 1 to House Bill 3415 allows the Department of Agriculture and the University of Illinois to develop measurements of grain quality and make those measures available to the grain industry. The Department of Agriculture does support this amendment because the amended version makes use of the grain grading system permissive rather than mandatory. The reason for this is, it seems that foreign buyers complain that...they never get what they pay for as far as foreign material and moisture content, and I think this will address that issue and probably improve our export grain trade. And I would move for its adoption.

PRESIDENT:

Senator O'Daniel has moved the adoption of Amendment No. 1 to House Bill 3415. 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. Madam Secretary, Senator Brookins tells me they are ready on 3408. On the Order of House Bills 3rd Reading, bottom of page 6, is House Bill 3408. Senator Brookins 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 is House Bill 3408, Madam Secretary.

SECRETARY:

Senators Watson and Brookins offer Amendment No. 3.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Amendment No. 3 to House Bill 3408, simply clean-up language to enable the Department of Transportation and other state agencies to comply with the Uniform Relocation Assistance Act of the federal government. The reason for this is that there is mechanisms now by which the departments can reimburse individuals for fair market value for their house and property but there's no assistance in regard to relocation. This would enable them to do so and I move for its adoption.

PRESIDENT:

All right. Senator Watson has moved the adoption of Amendment No. 3 to House Bill 3408. 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. 3448, Senator Davidson. On the Order of House Bills 3rd Reading, bottom of page 7, is House Bill 3448. Read the bill, Madam Secretary. I mean, Madam Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Davidson.

PRESIDENT:

Senator Davidson, I'm sorry.

SENATOR DAVIDSON:

Mr. President, due to a technical error that was in Amendment No. 3, I have to move to reconsider the vote of which Amendment No. 3 was adopted so we can Table it, please.

PRESIDENT:

All right. Madam Secretary, Senator Davidson wishes to address himself to Amendment No. 3. Having voted on the prevailing side, he wishes to reconsider the vote by which Amendment No. 3 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Davidson now moves to Table Amendment No. 3 to House Bill 3448. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 3 is Tabled. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Davidson.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, Amendment No. 4 corrects the technical error because when Amendment No. 3 was adopted which we just Tabled, the language which let recording of deeds by IDOT's conveyances was stricken and that had to be replaced. All the rest of it's the same. It removes the objectionable two amendments, 5 and 6, that was on this

HB3 H62
Recalled

bill. I move the adoption of Amendment No. 4.

PRESIDENT:

All right. Senator Davidson moves the adoption of Amendment No. 4 to House Bill 3448. 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. Top of page 8, Senator Jerome Joyce. On the Order of House Bills 3rd Reading is House Bill 3462. Senator Joyce 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 is House Bill 3462. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator...Jerome J. Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This amendment makes two changes in the Responsible Property Transfer Act. The question as to whether a transfer has ever conducted operations involving the handling of hazardous substances will not apply to consumer goods stored or hauled by a retailer in the same form as they were sold to the customer. And the second change is any person or transfer who with actual knowledge who makes any false statement, representation or certification in the...disclosure document is in violation of the Act. This amendment has been agreed to by industry, business organizations, the EPA and the Illinois Environmental Council. And I'd ask for its adoption.

PRESIDENT:

All right. Senator Joyce has moved the adoption of

Amendment No. 1 to House Bill 3462. 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. (Machine cutoff)...Etheredge. On the Order of House Bills 3rd Reading, top of page 8, is House Bill 3464. Senator Etheredge 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, House Bill 3464, Madam Secretary.

SECRETARY:

Senator Etheredge offers Amendment No. 1.

PRESIDENT:

Senator Etheredge on Amendment No. 1.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment would permit community colleges to levy an additional amount under certain very restrictive circumstances, when they qualify and...if they're certified by the State Community College Board and if voted upon by the board of trustees. I would move for its adoption, Mr. President.

PRESIDENT:

All right. Senator Etheredge moves the adoption of Amendment No. 1 to House Bill 3464, Madam Secretary. 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:

HB 3470
Recalled

3rd reading. 3470, Senator Rigney. In the middle of page 8 is House Bill 3470. Senator Rigney 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, House Bill 3470, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Rigney.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Mr. President, the purpose of the amendment is to simply put this legislation in an identical form to the bill that Senator Marovitz had here in the Senate and went over to the House. And I move for the adoption of the amendment.

PRESIDENT:

All right. Senator Rigney has moved the adoption of Amendment No. 1 to House Bill 3470. 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. Top of page 9, Senator Holmberg. On the Order of House Bills 3rd Reading is House Bill 3527. Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I wish to Table Floor Amendment No. 1 to 3527. That particular amendment was...a technical amendment to a bill...agreed on bill from the county recorders, and the technical amendment did spoil the agreed process and so we wish to return it to the form that it came over from the House.

PRESIDENT:

All right. Senator Holmberg having voted on the prevailing side has moved to reconsider the vote by which Amendment No. 1 to House Bill 3527 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Holmberg now moves to Table Amendment No. 1 to House Bill 3527. Any discussion? If not, all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The amendment is Tabled. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 5590, Senator Schuneman. 3683, Senator Welch. 3705, Senator Savickas. Bottom of page 11, on the Order of House Bills 3rd Reading is House Bill 3705. Senator Savickas 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. 3705, Madam Secretary.

SECRETARY:

Amendment No. 3 offered by...

PRESIDENT:

...wait.

SECRETARY:

...offered by Senator Savickas.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate. Amendment No. 3 was offered at the request of Treasurer Rosewell and the amendment broadens the taxpayer's right to protest the tax purchase of his property. The amendment would give the tax...the taxpayer the right to protest the tax purchase for any reason, not merely in the case of a tax purchaser's non-compliance. It's been supported by the Treasurer, by Chicago

Title and Trust and even the tax buyers have been willing to go along with it. I would appreciate your support of its adoption.

PRESIDENT:

Senator Savickas has moved the adoption of Amendment No. 3 to House Bill 3705. 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. 3911, Senator Carroll. Middle of page 14, on the Order of House Bills 3rd Reading is House Bill 3911. Senator Carroll 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 is House Bill 3911. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. By agreement of all the parties, including the Department of Public Health, this amendment would cover the gap between today and the time that their bill would go in effect so that these health screenings can continue to take place. I would move adoption of Amendment No. 1.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 3911. 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. 4028, Senator Topinka. Top of page 16, on the Order of House Bills 3rd Reading is House Bill 4028. Senator Topinka 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 is House Bill 4028, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Topinka.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate. This is a DORS amendment and it provides that all public safety agencies will provide for the requests for emergency assistance for handicapped people who are deaf via a telecommunications device for the deaf, a TDD, within their...service area at a public safety answering point.

PRESIDENT:

All right. Senator Topinka has moved the adoption of Amendment No. 1 to House Bill 4028. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I...I don't have any problem, Senator Topinka,...with what you are doing but I...I would question the germaneness of...of your amendment with respect to the bill, because it talks about the rehabilitation services, advisory council and independent living advisory councils, and I was wondering we...we have other legislation around here that deals with the subject that you are attempting to deal with on this amendment. I would just question whether or not this is, in fact, germane.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

I am carrying out the wishes of the House sponsor in a package of bills for the deaf, and this is where he wanted it.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, then I would question the Chair as to whether or not this amendment is, in fact, germane to this particular bill.

PRESIDENT:

The Chair is prepared to rule that Senate Amendment No. 1 to House Bill 4028 is not germane. Withdraw the amendment, Madam Secretary. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 4096, Senator Woodyard. Bottom of page 16, on the Order of House Bills 3rd Reading is House Bill 4096. Senator Woodyard 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 is House Bill 4096, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Woodyard, Poshard and Etheredge.

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. House Bill 4096 deals with community college student trustees. The amendment was felt to be needed by the community college system and it would allow the flexibility to

change the formula if there should be a tax increase. The original formula bill was inadvertently passed out of the House two days ago on 3rd Reading and it was felt by the community college people to allow that...flexibility in case there should be additional revenues that this amendment was needed. And I would move for its adoption.

PRESIDENT:

Senator Woodyard has moved the adoption of Amendment No. 1 to House Bill 4096. Discussion? If not, all in favor indicate by saying Aye. Opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Friedland on 4220. On the Order of House Bills 3rd Reading, bottom of page 17, is House Bill 4220. Senator Friedland 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 is House Bill 4220, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Philip.

PRESIDENT:

Senator Philip on Amendment No. 1.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 takes the power from zoning regard to floodways away from the municipalities and give it to the county. You might wonder why I have come to that conclusion. As you know, we've had tremendous flooding in DuPage County. We thought we had everything squared away. A week ago with the Department of Transportation, Department of Waterways, we took a little survey of Salt Creek which was the flooding

*NB H282
Re called*

area. The Village of Addison in the flood plain have allowed eight to ten new houses to be built. I couldn't believe it. The Village of Elmhurst has allowed the Comfort Inn, an eight-story motel, to be built and I've come to this conclusion, that municipal government, generally speaking, could care less about flooding as long as there's some tax incentive for them. I've come to the conclusion it's got to be taken away from those municipalities and put it in county government control. That's exactly what this does. It only applies to DuPage County, no other county.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, I'd like to ask the sponsor of this a question.

PRESIDENT:

Sponsor indicates he'll yield, Senator Joyce.

SENATOR JEROME JOYCE:

Would you...agree to put landfill operations under that same category?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

No. I...might I say this, if you've got a bill that does that, I might be agreeable to help you with that...that idea, but I sure as hell don't want any more garbage on this bill.

PRESIDENT:

Senator Philip has moved the adoption of Amendment No. 1 to House Bill 4220. 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. 4282, Senator Woodyard. Middle of page 18,

ladies and gentlemen, on the Order of House Bills 3rd Reading is House Bill 4282. Senator Woodyard 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 is House Bill 4282, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Woodyard and Weaver.

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, members of the Senate. The underlying bill on 4282 involves allowing two pilot projects at county fairs for parimutuel wagering. Amendment No. 1 contains language that was in about five different bills it looks like. Number one, Senate Bill 2256, by Senator Weaver, that was primarily clean-up language for the Illinois Racing Board. Then there's a bill, 3268, by Representative DeJaegher, another by Representative Cullerton, another one by Representative DeJaegher. And I had been...I have been assured that there is nothing of a controversial nature within this particular amendment. Be glad to answer any questions that you might have on this.

PRESIDENT:

Senator Woodyard has moved the adoption of Amendment No. 1 to House Bill 4282. Discussion? Senator...Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I rise in opposition to these amendments. These bills...all these House bills were held in committee in the Rules Committee. Now, in the last days of the Session they're coming out, not out of Rules and through the committee process but coming out as amendment form to be put on. I object to this type of

procedure and would hope that any type of legislation whether it deals with racing or anything else of this magnitude would have the committee process. And I would oppose the adoption of these...of these bills in the amendment form.

PRESIDENT:

Further discussion? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. I, too, rise in opposition to the procedure and to the adoption of these amendments. We did pass Senator Weaver's bill over to the House. I understand they...held that bill in Rules Committee, they wouldn't let it out. Several of these amendments were in the Rules Committee and they were held in Rules Committee; as a result, there was no time for any committee hearing whatsoever on these...on these bills. So, I think the Body should defeat this amendment and let this...let this...let these bills go through the normal process and be heard as they should be.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Thank you...thank you, Mr. President, Ladies and Gentlemen of the...Senate. In deference to my colleagues that were talking about getting out of Rules, I know that there's a couple of bills on there that Senator...I mean, Representative DeJaegher had that I was to sponsor over here, and I would agree with Senator Woodyard that...Woodyard, that they are not controversial. I have no idea why they didn't get out of the House...out of Rules, and I...I think that they're good amendments and should be supported.

PRESIDENT:

Further discussion?: Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I can't speak to the total

amendments, but one of the bills that I sponsored was to clean up some language to implement the parimutuel situation at the DuQuoin State Fair and also the Illinois State Fair. It's important that we address that issue in order to really accommodate those two fairs and their parimutuel wagering. So,...I...I see nothing wrong with the amendment and I would stand in support.

PRESIDENT:

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Well, Mr. President, I do think there are some controversial aspects to some of them. Senate Bill 1878 would change and relocate funds from the Chicago host tracks to the Quad-City Downs tracks. I think that's important, I think that should be discussed. I think when we deal with any of these bills that changes the formula and changes relocation of funds from one area to another, it's important and should not be just added on as amendment form and rushed through the Legislature.

PRESIDENT:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I'm sorry to speak for a second time, but I think that Senator Savickas mentioned our track in the Quad-Cities and...and that there may be some controversy with that. This provision has been approved by the Horsemen's Association and the Chicago horsemen have no objections to...to this change in the funding. It...it helps the track, it keeps the track in the business and that's what that amendment is all about.

PRESIDENT:

(Machine cutoff)...Woodyard, do you wish to close? Question is adoption of Amendment No. 1.

SENATOR WOODYARD:

Thank you, Mr. President. I certainly have an empathy with the objection raised by Senator Jones and Senator Savickas, I cannot help that. I certainly agreed to sponsor this amendment as an accommodation to several people who had interest in these particular bills and, as I say,...I've been assured that there is not a controversial issue within the bills themselves. It's simply a matter of procedure and I can do nothing about that. And so I would move for adoption of the amendment.

PRESIDENT:

Senator Woodyard has moved the adoption of Amendment No. 1 to House Bill 4282. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? All voted who wish? All voted who wish? Take the record. On that question, there are 39 Ayes, 12 Nays, none voting Present. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senators Holmberg and Hawkinson.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Amendment No. 2 is...left the Senate as Senate Bill 1972. It also was caught in House Rules. It basically includes three downstate park districts in the definition of museums to which four-sevenths of the monies paid into the Horse Racing Tax Allocation Fund shall be allocated and passed...passed the Senate 45 to 10. And I'd ask for your favorable consideration.

PRESIDENT:

All right. Senator Holmberg has moved the adoption of Amendment No. 2 to House Bill 4282. 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. All right. We've been through the recall list that was passed out as of Thursday, June 16, 6:00 p. m. There will, I'm sure, at some point, be another recall list. In the meantime,...we didn't skip over anything, Thursday, June 16th at six o'clock, that was when the recall list was passed out. That's the list against which the members were working and that's the list from which we were working. We'll begin now with Senator Jones. We left off on 3rd reading the other day. The hour is now ten o'clock, I assure you we will quit at noon. So we will begin where we left off on the Order of 3rd Reading and, as indicated, when we return on Tuesday at noon, we will begin again on House Bills 2nd Reading including the appropriation bills. But for the balance of today we'll be on final action on House bills 3rd reading. We'll just go right through as many as we can. I just ask the members to take a look, it's page 5 on the Calendar. We'll begin where we left off with House Bill 3161. So that's Senators Jones, Berman, Luft, Lechowicz, Weaver, Weaver, Demuzio, Welch, Jerome Joyce, Luft and Schuneman will be on the first page. On the Order of House Bills 3rd Reading is House Bill 3161. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3161.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. House Bill 3161 is a JCAR bill, it changes the definition of

clinical audiologist in the Hearing Aid Consumer Act. It prohibits the Health...Facilities Planning Board from delegating authority to grant permits and exemptions, authorizes the Department of Health to automatically renew waivers of physical plant requirements when renewing nursing home licenses. These three proposals came out of JCAR, had the support of the Department of Public Health. And I ask for a favorable vote.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall House Bill 3161 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 3161 having received the required constitutional majority is declared passed. 3216, Senator Berman, I understand is on the recall list. 3255, Senator Luft. On the Order of House Bills 3rd Reading is House Bill 3255. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3255.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 3255 amends the Telecommunications Excise Tax Act to exempt from the state tax receipts from the sale of telecommunication services and equipment when the...transactions take place between a parent corporation and the subsidiaries or between subsidiaries of the same company. These receipts are currently included under the definition of gross charges subject to taxation. Under current law, for example, the telecommunications

company which sells telecommunications services to a subsidiary within the same corporation must pay a five percent state tax and charge for those services. This bill simply exempts that operation.

PRESIDENT:

Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Just a brief note that the...the bill was amended to take care of a concern that the Department of Revenue had, and at that point, it was not opposed by them and...and it did pass unanimously out of the Revenue Committee. I think in its present form it does effectively avoid what would otherwise be double taxation. So I think it is a fair bill.

PRESIDENT:

Question is, shall House Bill 3255 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3255 having received the required constitutional majority is declared passed. 3260, Senator Lechowicz. 3261, Senator Weaver. On the Order of House Bills 3rd Reading, the middle of page five, House Bill 3261. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3261.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. House Bill 3261 codifies certain authorities of downstate sanitary districts. It applies only to downstate sanitary districts and I know of no objec-

tion to it. If anyone has any questions, I'll be happy to try to answer them.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall House Bill 3261 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 3261 having received the required constitutional majority is declared passed. 3262. On the Order of House Bills 3rd Reading is House Bill 3262. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3262.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. 3262 provides enabling legislation for sanitary districts to make local improvements. It's rather technical in nature. If anyone has any questions, I'll be happy to try to answer them.

PRESIDENT:

Discussion? If not, the question is, shall House Bill 3262 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3262 having received the required constitutional majority is declared passed. 73, Senator Demuzio. On the Order of House Bills 3rd Reading is House Bill 3273. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3273.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3273 permits any persons who are residing in an unprotected area that receives fire protection coverage through the assigned...assignment of coverage through the State Fire Marshal's Office to petition a fire protection district providing the coverage to continue past the current two-year maximum period. That provision passed the House unanimously. We added three additional amendments in the Senate. Amendment No. 1 made the compensation of the members of a board of trustees of a fire protection district permissive rather than mandatory. Amendment No. 2 indicated that any water main on new installations that need to be replaced or installed after 1988 would be not less than six inches in diameter because there were certain problems that were...that they were having with respect to developers installing four-inch lines. And Amendment No. 3 was concerning the fire protection district informing new districts which would have separated...permitted areas that were separated by both federal or state land to meet the requirement of being contiguous for the purpose of organizing the fire protection district and apparently that is in an instance in Senator...Poshard's district where the federal land is in between the city's land on both sides, as I understand it. So, I...I know of no opposition. I would ask for favorable support.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall House Bill 3273 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all

HB 3278
3rd Reading

voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3273 having received the required constitutional majority is declared passed. 78, Senator Welch. On the Order of House Bills 2nd Reading...3rd Reading is House Bill 3278. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3278.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill makes two amendments to the Franchise Disclosure Act specifically concerning fixtures. What the bill will do is when there is a franchise agreement, the payment made by the franchisee to the franchisor for fixtures necessary to operate the business shall not be considered part of the initial payment of the franchise fee. Under the law currently a...a franchise fee is defined as any fee or charge that a franchisee may pay. This specifically says that that fee does not include the payment for fixtures. An amendment added in the Senate also says that a payment made by a franchisee for rent is not included in that disclosure requirement. I would be willing to answer any questions at this time.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall House Bill 3278 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3278 having received the required constitutional majority is declared passed. 79, on the Order

of House Bills 3rd Reading is House Bill 3279. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3279.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill will do is amend the Illinois Health and Hazardous Substance Registry Act concerning data, cancer patients, fees, and the access to the registry by establishing four additional purposes for the collection of cancer incidence of data. I'd be glad to answer any questions.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall House Bill 3279 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3279 having received the required constitutional majority is declared passed. 3286, Senator Joyce. On the Order of House Bills 3rd Reading, bottom of page 5, is House Bill 3286. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3286.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This bill would allow disconnection from a forest preserve district. The need for

this arose out of a situation in Bourbonnais Township in Kankakee County. Recently the residents of that township passed on the same ballot the creation of a park district and a forest preserve district and both have property taxing powers for the same purpose of preserving the Prairie Farm on Kennedy Drive in Bradley. This bill would permit by...front-door referendum the disconnection of either Bourbonnais Township or any municipality within the district. I'd ask for its adoption.

PRESIDENT:

Question? Discussion? If not, the question is, shall House Bill 3286 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3286 having received the required constitutional majority is declared passed. 3297 is on the recall. 3303, Senator Schuneman. On the Order of House Bills 3rd Reading, bottom of page 5, House Bill 3303. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3303.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Last year the General Assembly adopted a rewrite of the Clinical Laboratory Act in Illinois and was...that Act was to become effective July 1 of this year. In the interim period, the department has been trying to implement the provisions of that new Act and establish rules and regulations and in doing so have run into some problems with the people that would be affected by the Act.

Senator Carroll has had an interest in this issue and the department and I and others have been working with him in trying to...to...and the other interested groups, in trying to resolve all their problems. We think now that...that most of those affected are in agreement with this bill. Simply what we are doing is extending the effective date for one year and addressing some of those issues that have been agreed upon. So I'd be happy to answer any questions anyone might have.

PRESIDENT:

Any discussion? Discussion? If not, the question is, shall House Bill 3303 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3303 having received the required constitutional majority is declared passed. Top of page 6. On the Order of House Bills 3rd Reading is House Bill 3311. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3311.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. House Bill 3311 creates the Rockford Museum Authority in Winnebago County and defines its powers and duties. We have come upon this need in Rockford because of the wonderful donation of the old Sears store right on the river in downtown Rockford. Several of our museums wish to go together and locate in this facility and this is one of the avenues that they have chosen to make this happen. It allows the Authority to issue revenue bonds and

AB 3319
3rd Reading

with approval by referendum issue other bonds and levy a tax up to .03 percent.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall House Bill 3311 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 2 Nays, none voting Present. House Bill 3311 having received the required constitutional majority is declared passed. 3319. On the Order of House Bills 3rd Reading is House Bill 3319. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3319.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Existing law provides that state employees are indemnified and protected as to lawsuits when they're in the course of their employment on behalf of the state. This bill includes within that definition of state employees the arbitrators that will be performing their functions under the mandatory arbitration provisions that are in effect in Cook County and Winnebago County and by amendment to certain representatives of the Department of Veterans' Affairs. Be glad to respond to any questions. Solicit your Aye vote.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall House Bill 3319 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish?

*HB 3331
3rd Reading*

Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3319 having received the required constitutional majority is declared passed. Senator Poshard on 3331. On the Order of House Bills 3rd Reading is House Bill 3331. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3331.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill would allow the admission in civil proceedings of hearsay statements of a child under thirteen regarding physical or sexual abuse perpetrated against the declarant child if the court conducts a hearing and finds that there are indications of sufficient safeguard of reliability and the child either testifies at trial or is unavailable and there is corroborative evidence of the act which is the subject of the out-of-court statement. There are some additional provisions that were amended into the bill; namely, that descriptive data in indicated child abuse-neglect reports pertaining to the death of a child or serious injury to a child may not be deleted from the central register except as provided by DCFS rules. The bill also includes as a victim eligible for compensation the parents of a child victim and the child who witnesses a crime perpetrated against a family member. It also requires the centers to enter into networking agreements to provide for the special needs of child victims of violent crimes. And a fourth addition would require the court to consider any adverse impact on a child victim or witness of kidnapping or aggravated kidnapping in ruling on a motion for a continu-

ance. I would move for passage, Mr. President.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3331 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes...I'm sorry, Senator Hawkinson, for what purpose do you arise?

SENATOR HAWKINSON:

My button is not working.

PRESIDENT:

All right. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 3331 having received the required constitutional majority is declared passed. Madam Secretary, is...is Senator Hawkinson recorded on the roll call? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. Chairman. I didn't hear the answer to that question, but my...

PRESIDENT:

The Secretary indicates you are not recorded on the official roll call.

SENATOR HAWKINSON:

Would...could I have leave to be recorded as Aye?

PRESIDENT:

Yes. The record will reflect your desire to vote in the affirmative and we'll have the electrician check and see if someone has sabotaged your...okay, we'll try it again. 3335. On the Order of House Bills 3rd Reading is House Bill 3335. Madam Secretary, read the bill, please.

SECRETARY:

House Bill 3335.

(Secretary reads title of bill)

3rd reading of the bill.

HB 3380
3rd Reading

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill would increase from a Class 4 to a Class 3 felony the penalties for distribution of child pornography. It also has some added amendments which would add aggravated kidnapping to the list of forceable felonies. It would create the offense of patronizing a juvenile prostitute, and for persons engaging in sexual penetration with a prostitute under sixteen years of age it would declare that they would be guilty of a Class 4 felony. Move for passage of the bill.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3335 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3335 having received the required constitutional majority is declared passed. 3338, Senator Marovitz. 3345, Senator Macdonald. 3372, Senator Welch. 3379 is on the recall. 3380, Senator Zito. On the Order of House Bills 3rd Reading, the middle of page 6, is House Bill 3380. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3380.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members. House Bill

3380 was amended yesterday. Basically what it does, it permits the required disclosure information for credit card billing statements to be on the literature accompanying the statement. Yesterday we put on two amendments, one to extend Senate Bill 400 which we passed last year to postpone the enactment date until January 1, 1989, and the other was a committee amendment to clarify the literature accompanying the statement. I know of no opposition now and would ask for a favorable roll call.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3380 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3380 having received the required constitutional majority is declared passed. 87, Senator Berman. On the Order of House Bills 3rd Reading is House Bill 3387. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3387.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3387 does two things in relation to special education services in our schools. The first portion of the bill dealt with the providing of services to students where there is a strike in that school district involving the special ed. kids, and it provides for allowing the children to be sent to another district or joint agreement program for servicing during the pendency of that strike. The second

part of the bill extends the time line for the evaluation of children who are submitted for evaluation within the last thirty days of a school term so that it is accomplished before the first day of the following term. Be glad to respond to any questions, solicit your Aye vote.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3387 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question there are 57 Ayes, no Nays, none voting Present. House Bill 3387 having received the required constitutional majority is declared passed. 89, Senator Holmberg. On the Order of House Bills 3rd Reading is House Bill 3389. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3389.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. House Bill 3389 came out of the House 117 to 0 and basically amends the Illinois Solid Waste Management Act to require the Department of Central Management Services to review and modify its procurement procedures to encourage the maximum purchase of products or supplies made with recycled materials. CMS must also implement source separation and collection programs for office wastepaper in at least five state buildings. And then finally, all state agencies responsible for the maintenance of public lands must use compost materials to the maximum feasible extent. This is an agreed bill, been carefully worked out with all parties. The agencies have signed off,

*HB 3395
3rd Reading*

the Governor's Office supports it and I think the bill is in excellent form. It's certainly a message that we should get our own house in order and use recyclable materials before we take a look at other things.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3389 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3389 having received the required constitutional majority is declared passed. 3395, Senator Vadalabene. On the Order of House Bills 3rd Reading is House Bill 3395. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3395.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. This amendatory Act is not intended to replace methods of settling assessment disputes. House Bill 3395 creates an additional mechanism for settling property tax assessments disputes in downstate counties between power plant owners and local taxing districts. This legislation would enable county and state boards officials to join disputing parties in reaching a settlement on issues relating to the property tax liability of a power plant and other related issues subject to court approval. This legislation is of vital importance to my district because it would place into law the framework of an agreement which was reached by several Madison County taxing districts and Illinois Power Company concerning the

assessed value of the Wood River Power Station after several years of liabilities. And I would appreciate a favorable vote.

PRESIDENT:

Discussion? If not, the question is, shall House Bill 3395 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question there are 58 Ayes, no Nays, none voting Present. House Bill 3395 having received the required constitutional majority is declared passed. 408 is on the recall. 3415 is on the recall. 3417, Senator Rigney. Bottom of page 6, on the Order of House Bills 3rd Reading is House Bill 3417. Read the bill, Madam Secretary, please.

END OF REEL

REEL #2

SECRETARY:

House Bill 3417.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Mr. President, this is a Department of Revenue bill that has about three or four purposes to it. It provides that for those licensed professions that fail to pay taxes they may suspend licenses. It also provides a claim provision for those who have overpaid motor fuel tax obligations. It permits the deduction of hotel taxes on receipts on which hotel operators are not able to collect taxes by reason of federal treaty, and then we amended on to it, I think, probably one of the more important provisions, a shorter, more simplified form for the monthly filing of sales tax obligations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Discussion? If not, the question is, shall House Bill 3417 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 3417 having received the required constitutional majority is declared passed. Page 7, 3418, Senator Woodyard. House bills 3rd reading is House Bill 3418, Madam Secretary.

SECRETARY:

House Bill 3418.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? I mean,...sorry, Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. House Bill 3418 is also an administration Department of Revenue bill and it would allow the department to contract with collection agencies on a net versus a gross receipts basis, and the reason for that is that last year when we actually contracted with some of these agencies, we were dependent upon appropriations and, as you well know, a lot of the appropriations were cut and...many of these collection agencies could not receive the money that they were entitled to. So, that's what the bill does and I would move for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 3418 pass. Those in favor will vote Aye. Those opposed 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 57, the Nays are none, none voting Present. House Bill 3418 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3420, Madam Secretary.

SECRETARY:

House Bill 3420.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. This is a Department of Lottery administration bill. It simply codifies what is presently being done and clarifies that a

prize payment may be paid to the estate of a deceased winner and also codifies from our old Department of Revenue language the duties and authority of hearing officers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3420 pass. Those in favor will vote Aye. Those opposed 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 58, Nays are none, none voting Present. House Bill 3420 having received the required constitutional majority is declared passed. House Bill 3424, Senator Macdonald. House Bill 3425, Senator Macdonald. House Bill 3427, Senator Schuneman. House bills 3rd reading is House Bill 3427, Madam Secretary.

SECRETARY:

House Bill 3427.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. As many of you know, many of the rural hospitals in Illinois are finding it increasingly difficult to survive. One of those is in Savanna, Illinois, and they are seeking to change their hospital to a district hospital. Apparently, district...the...the state law does not permit at the present time a hospital district to be formed and...in their particular instance. All this bill does is provide that a district with a population of less than ten thousand can be formed if the territory includes six contiguous townships within a county or adjoining counties. Ask for your approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill

3427 pass. Those in favor will vote Aye. Those opposed 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 58, the Nays are none, none voting Present. House Bill 3427 having received the required constitutional majority is declared passed. 3429, Senator Karpziel. House bills 3rd reading is House Bill 3429, Madam Secretary.

SECRETARY:

House Bill 3429.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. I had a long explanation of this bill prepared but I...I think the members of the Energy and Environment Committee are pretty sick of hearing about this bill, and the rest of you...if you have...I...I did pass out a circular that has a lot of information on it, a letter from me and...and some editorials. So, let me just very briefly say that House Bill 3429 authorizes the...the Governor to apply for agreement state status with the NRC. This status would give the state, specifically the Department of Nuclear Safety, licensing authority over the...this west Chicago site where the radioactive material is. When granted this licensing authority, the...the department would deny a license for on-site disposal and thereby requiring Kerr-McGee to move the waste to a more suitable location, a facility that is specifically designed to safely dispose of this type of waste. I'd be glad to answer any questions and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I received a call from the retired chief of police in west Chicago urging us our favorable consideration of this bill because it is...it is of...of prime importance that we safeguard the life and safety of the people there. There's no question in my mind that this bill is a step in the right direction. I certainly urge its favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, question is, shall House Bill 3429 pass. Those in favor will vote Aye. Those opposed 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? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 3 voting Present. House Bill 3429 having received the required constitutional majority is declared passed. House Bill 3421, Senator Philip. House bills 3rd reading is House Bill 3431, Madam Secretary.

SECRETARY:

House Bill 3431.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3431 amends a...an Act in relation to personnel radiation monitoring. Under the present law, the employer now has to notify the Department of Nuclear Safety; changing the law, you would...the employer would have to keep the record but not notify the department. The department feels it's costly and unnecessary. I'll be happy to ask any...answer any questions.

HB 3445
3rd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? Discussion? If not, the question is, shall House Bill 3431 pass. Those in favor will vote Aye. Those opposed 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 57, the Nays are none, 1 voting Present. House Bill 3431 having received the required constitutional majority is declared passed. House Bill 3442...3445, Senator Etheredge. House bills 3rd reading is House Bill 3445, Madam Secretary.

SECRETARY:

House Bill 3445.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What this bill does is to establish within the Capital Development Board a CDB revolving fund which will be held in the State Treasury and the funds from which will be appropriated by the General Assembly, the fund to contain...the proceeds realized from a fee assessed upon the...those contractors who are involved in state construction projects. I would be very happy to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. I rise in opposition to this legislation, and I do so basically for two reasons. I spoke again to Senator Etheredge this morning to see if the lobbyist for the group that asked for this told him the same thing he told me, which was not the case apparently, and I take great umbrage at that, for us to be given one set of informa-

tion as to what the actions of the...those most interested and I cast no aspersions on Senator Etheredge at all, and not to relate the same to him or other people, I think is very wrong for the legislative process. Secondly, and more importantly, are the issues directly affected by the legislation. You know, I could be cute and say we're going back to bonded servitude because that's really what we're doing. We're going to be taking bond funds to pay for things like employees, bond funds to pay for paper clips, bond funds to pay for travel, commodities, printing, equipment. Why bond funds? 'Cause how does CDB get its money? Bond funds. So, when you're going to ask contractors to pay into a fund, they will be adding that to their bid, we will paying them that money based on their bid out of bond funds. So, now it'll cost us twice according to Economic and Fiscal for every employee; once for their salary and once for the interest on the bond funds. That's crazy. It's bad enough as it is but maybe that explains to us why we have a hundred million dollar overrun at the State of Illinois Center, possibly as high an overrun at McCormick Place because of the way CDB is operated. If they cannot control the costs of what they tell us a building is going to cost and now we would give them bond funds to pay employees and it'll cost us at least twice, that's crazy. I think this is a terrible idea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Etheredge may close.
SENATOR ETHEREDGE:

Thank you, Mr. President. I think we ought to look at what this fund proposes to do and how it...how it came to be. The thrust of this proposal is to save taxpayers' dollars. The idea has come from discussions among those contractors that have worked with the state in the past and the Capital Development Board and others in the administration who have identified a problem and have found what I sincerely believe

is a very fine solution to the problem. I want to emphasize the fact that this has...this proposal has been developed with the full support of the...construction industry. What they're interested in doing is to speed up the processing of vouchers, and I would suggest to you by...by the establishment of this fund and speeding up the...the payment of vouchers that are submitted, what we're going to do is to save the taxpayers' dollars, we're not going to be...we're not going to be...expanding the cost of state construction, we're actually going to be able to...to reduce those costs. So, I would urge a...an Aye vote on this fine proposal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, he had...gentleman had just closed. Question is, shall House Bill 3445 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 23, none voting Present. House Bill 3445 having received the required constitutional majority is declared passed. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

To...to seek a verification of the affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has sought verification of those members who voted in the affirmative. All members will be in their seat. The Secretary will read the affirmative votes.

SECRETARY:

The following members voted in the affirmative: Barkhausen, Brookins, D'Arco, Davidson, DeAngelis, Dudycz, Ralph Dunn, Etheredge, Fawell, Geo-Karis, Hawkinson, Hudson, Jacobs, Karpel, Keats, Kelly, Kustra, Macdonald, Madigan, Maitland, Philip, Raica, Rigney, Schaffer, Schuneman, Topinka, Vadalabene, Watson, Weaver, Woodyard and Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll, do you question the presence of any member voting in the affirmative?

SENATOR CARROLL:

Yes, Senator Brookins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR CARROLL:

Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR CARROLL:

That's sufficient.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, on that question,...on that question, there are 29 Ayes, 23 Nays, none voting Present. House Bill 3445 fails. Senator Etheredge requests postponed consideration. Postponed consideration. Okay...3447, Senator Davidson. House bills 3rd reading is House Bill 3447, Madam Secretary.

SECRETARY:

House Bill 3447.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the...Senate, does exactly what it says on the Calendar. This is a bill requested from CMS to change the minimum from fifteen hundred to twenty-five hundred. Appreciate your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall

House Bill 3447 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 2, none voting Present. House Bill 3447 having received the required constitutional majority is declared passed. 3449, Senator Etheredge. House bills 3rd reading is House Bill 3449, the bottom of the page. Senator Etheredge. Senator Etheredge, 3449? House bills 3rd reading is House Bill 3449, Madam Secretary. Read the bill.

SECRETARY:

House Bill 3449.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What this bill does is to extend for twenty-one...months the sunset on the Interagency Services Fund which we have earlier created in the Department of Commerce and Community Affairs. I would be happy to respond to any questions. If there are none, I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 3449 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 3449 having received the required constitutional majority is declared passed. Top of page 8. House bills 3rd reading is House Bill 3455, Senator Collins. House Bill 3455, Madam Secretary. Read the

bill, please.

SECRETARY:

House Bill 3455.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you. The bill does exactly what the...what it says in the Digest on the Calendar. It's just simply...to...prohibit the consumption of food and drinks on mass transit systems for local transportation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion?

SENATOR COLLINS:

It is my biggie for the year. Vote your conscience.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? Discussion? Question is, shall House Bill 3455 pass. Those in favor will vote Aye. Those opposed 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 54, the Nays are 1, 2 voting Present. House Bill 3455 having received the required constitutional majority is declared passed. 3469, Senator Jones. House bills 3rd reading is House Bill 3469, Madam Secretary.

SECRETARY:

House Bill 3469.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

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

Senate. House Bill...3469 is a bill to clarify the Department of Human Rights enforcement authority as it relate to civil rights violation. Also, the bill makes it a civil rights violation in Department of Higher Education when it comes to discrimination in sexual harassment and employment, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 3469 pass. Those in favor will vote Aye. Those opposed 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 57, the Nays are none, none voting Present. House Bill 3469 having received the required constitutional majority is declared passed. 3477, Senator Jones. House bills 3rd reading is House Bill 3477, Mr. Secretary. Beg your pardon? Whoop.

ACTING SECRETARY: (MR. HARRY)

House Bill 3477.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones. Take it out of the record. 3482, Senator Berman. House bills 3rd reading is House Bill 3482, Madam Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3482.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald, for what purpose do you...all right, Senator Berman. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3482 requires the Department of Public Health to publish a summary brochure describing methods for the early detection and diagnosis of breast cancer and medi-

cally viable alternative methods for treatment of this disease. It is interesting to note that breast cancer is the largest proportion of cancer...cases in women equaling twenty-six percent of the total, and breast cancer is the number one killer of women. I'd be glad to respond to any questions. Solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Macdonald. All right, Senator Macdonald, your light is on. I...all right,...further discussion? If...if not, the question is, shall House Bill 3482 pass. Those in favor will vote Aye. Those opposed 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...I'm sorry, the Ayes are 57, the Nays are none, none voting Present. House Bill 3482 having received the required constitutional majority is declared passed. Now, Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

Thank you, Mr. President. On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State...

SENATOR MACDONALD:

In the gallery on the Republican side is assessor of Wheeling Township, Mrs. Delores Stephen and her husband, Ernie. I'd like for the Senate to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise. Welcome to Springfield. 3485, Senator Karpel. House bills 3rd reading is House Bill 3485, Mr. Secretary. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3485.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. A few years ago, the...luring of a child into a motor vehicle for other than lawful purpose was added to the Child Abduction Statute. House Bill 3485 expands that to include luring a child into a building, house trailer or dwelling without the consent of the parent or custodian for an unlawful purpose in the luring offense. The penalty is a Class 4 felony and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3485 pass. Those in favor will vote Aye. Those opposed 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 58, the Nays are none, none voting Present. House Bill 3485 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3490, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 3490.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3490 is a bill that allows the Department of Public Aid to communicate about public aid recipients with the Department of Corrections. That is its only change and I would move for its adoption or its support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 3490 pass. Those in favor will vote Aye. Those opposed 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 57, the Nays are none, none voting Present. House Bill 3490 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3491. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 3491.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Donahue.

SENATOR DONAHUE:

All right, thank you, Mr. President. What this bill...it's a JCAR recommended bill. It's a very...various changes in the law which the department accepts and I would, again, ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 3491 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 2, none voting Present. House Bill 3491 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3492, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 3492.

(Secretary reads title of bill)

3rd reading of the bill.

HB 3495
3rd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, what this legislation does is to provide...in fact, it was recommended by JCAR that those drugs that are covered under the Pharmaceutical Assistance Act for the senior citizens that they be listed in a handbook that will be prepared by the Department of Revenue. I understand that these are all listed but have never been put out in handbook form for our senior citizens.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 3492 pass. Those in favor will vote Aye. Those opposed 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 57, the Nays are none, none voting Present. House Bill 3492 having received the required constitutional majority is declared passed. House Bill 3495, Senator Davidson. House bills 3rd reading is House Bill 3495, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3495.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, does exact...does exactly what it says on the Calendar. We amended it so that the director cannot remove nonsworn personnel as head of divisions. It also adds State Police Academy as one of the divisions and I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Jacobs.

SENATOR JACOBS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

Are these mandated programs that we're going to charge the cities for or are these programs that are not mandated?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

I can't answer that. This was an administration bill. It came from the State Police and it was to correct a problem which they had perceived in relation to being paid for training local government employees and I can't tell you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Well, in my experience, Senator, most of the training that is requested by the State Police from municipalities are usually due to mandates from this Legislature to...to ensure that there's adequate training. I'm not sure whether we are in violation of the Mandate's Act here or not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

My discussion with the representatives from the State Police...it's not a violation. The only thing they're doing about this was to remove the cap on the fifteen hundred limit on State Police, also removed the place, I think it was District 4 which is south Cook County, where the commander of the State Police was appointing deputy state policemen now in the hands of the director, and then removes that part where they were trying to make a sworn officer had to be head of a

division and I objected to that as did many of the rest of you and we removed that language with the amendment we adopted. I'd appreciate a favorable vote.

PRESIDENT:

Discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he will yield, Senator Hall.

SENATOR HALL:

Senator Davidson, I remember that and...but there's one question I wanted to ask. Why is it deleted that...where is it, let's see...that the academy director does not have to be a state trooper?

PRESIDENT:

Senator Davidson.

SENATOR HALL:

Been deleted.

SENATOR DAVIDSON:

Well, to my knowledge, it's not the trainer of the academy that was removed, it had to do with division heads that had to do within the State Police Department. Many of you were contacted but some individuals who were removed 'cause they weren't sworn personnel and this was the recommendation from the Governor's Office that that be removed.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall House Bill 3495 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3495 having received the required constitutional majority is declared passed. 3499, Senator Welch. Top of page 9, 3512, Senator

Rigney. On the Order of House Bills 3rd Reading is House Bill 3512. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 3512.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Mr. President, in its original form, this was merely a technical bill. It made some changes as far as those folks who are filing trusts in the states for tax deducted in computing Federal Income Tax income. There were two amendments that were put on. One is for the new taxpayers to the State of Illinois who are entitled to this one percent growth in base employment for the first year. It makes it clear that those firms that are new to Illinois will be eligible for this income tax credit, and then I think you'll recall that Senator Etheredge also put on his super collider amendment on this bill.

PRESIDENT:

Any discussion? Discussion? If not, the question is, shall House Bill 3512 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3512 having received the required constitutional majority is declared passed. 3525. On the Order of House Bills 3rd Reading is House Bill 3525. Read the bill,...Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3525.

(Secretary reads title of bill)

3rd reading of the bill.

HB 3544
3rd Reading

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3525 is...is a bill that would validate the consolidation of two school districts in my district, namely, the...the Brussels and the Richwood school districts. There was a consolidation invalidation by the Appellate Court of another school district. This particular consolidation passed. It was approved 190 to 15 and it's the referendum that's not being contested, but what this, in fact, would do would to indicate that this had nothing to do with the...with the court case and thereby validating the election which...I'm sorry, validating the referendum approval of the...of the two districts. I know of no opposition. I would move for its adoption.

PRESIDENT:

(Machine cutoff)...if not, the question is, shall House Bill 3525 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 3525 having received the required constitutional majority is declared passed. 27 is on the recall. Senator Sam, are you ready? On the Order of House Bills 3rd Reading is House Bill 3544. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 3544.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate.

HB 3545
3rd Reading

This bill changes the law to provide that a small amount of the thoroughbred breeders' awards would be paid to the Illinois Racing Board for payments to the Illinois Thoroughbred Breedings and Owners Foundation. Presently, a sum of twelve and a half percent of the first prize money is paid to the successful breeding breeders, but in the past, there has been a problem with making sure the proper breeders were paid. This bill would change the law so that eleven and a half percent would go to the successful breeders and one percent to the Illinois Thoroughbred Breeders and Owners Foundation for checking on the winning breeders, verifying the accuracy of the payments and assuring the proper distribution of the breeders' awards. The House of Representatives amended this bill to provide payment to the Racing Board which in turn would make the payments to the Illinois Thoroughbred Breeders and Owners Foundation. This amendment is attended solely to facilitate an audit of these funds. It remains the intent of this bill that the Racing Board would collect these monies and disburse the full amount immediately to the Illinois Thoroughbred and Breeders and Owners Foundation subject to being audited. There is no new money involved. The money will come from the breeders awards and will be paid for making sure the breeders awards are properly paid. The Senate has passed similar legislation without opposition in each of the last two years where it was tied up in the House. I would appreciate a favorable vote.

PRESIDENT:

Discussion? If not, the question is, shall House Bill 3544 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3544 having received the required constitutional majority is declared passed. Senator Topinka, 3545. On the

Order of House Bills 3rd Reading is House Bill 3545. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3545.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this extends the Illinois Commerce Commission's deadline for phasing in a program of a telephone service for the hearing impaired to June 30th, 1990, and it would give the ICC the flexibility to determine the rates that would be involved.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall House Bill 3545 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3545 having received the required constitutional majority is declared passed. 3548. 3552, Senator Schaffer. 3553, Senator Schaffer. On the Order of House Bills 3rd Reading, middle of page 9, is House Bill 3552. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3552.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr...Mr. President and members of the Senate, this bill

and the one that follows are a part of a three-bill package that are designed to encourage supported working conditions for the developmentally disabled. This bill specifically would allow the Department of...Rehabilitation Services, in cooperations with the Department of Mental Health and Developmental Disabilities to make one-time grants to not-for-profit rehabilitation service agencies who wish to convert their current programs into programs that can...for providing competitive work in...in supportive work settings. We're basically trying to encourage our not-for-profit organizations to help create job slots for our developmentally disabled citizens in the free enterprise system.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3552 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3552 having received the required constitutional majority is declared passed. 3553. On the Order of House Bills 3rd Reading is House Bill...Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Mr. President, a point of personal privilege, if I may.

PRESIDENT:

State your point.

SENATOR TOPINKA:

Yes, two announcements. One, in the President's Gallery, I would like to introduce a good friend of all of us, the Mayor of Homewood, Mannie Hoffman, who is here and if we could greet him; and also on the Republican side, in the back, we also have the former Riverside Township Republican Committeeman, Pat Michaels, and her good husband, Mike. So, if we could welcome all of them at the same time, I think...

PRESIDENT:

Would our guests please rise and be recognized. Welcome to Springfield. Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

Mr. President, a point of personal privilege. It is my great privilege to introduce two distinguished people this morning. I'd like to introduce...have you all welcome my congressman from the 10th District, Congressman John Porter and former State Representative...former State Representative Betty Lou Reed. So,...

PRESIDENT:

John and Betty Lou, welcome back. Nice to see you. 3553. On the Order of House Bills 3rd Reading is House Bill 3553. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3553.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this again is a similar bill. It would require the Department of Rehabilitation Services, the Department of Mental Health and the Governor's Planning Council on Developmental Disabilities to study and report back to the General Assembly on the cost, possible funding sources and other possible incentives for converting current rehabilitation training programs into programs providing supported employment for DD citizens.

PRESIDENT:

Discussion? If not, the question is, shall House Bill 3553 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted

who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3553 having received the required constitutional majority is declared passed. 3557, Senator Demuzio. On the Order of House Bills 3rd Reading is House Bill 3557. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3557.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3557 would address a problem that some of the high schools in Illinois are having with offering courses that would prepare students for admission to higher education facilities in Illinois. It would create a nine-member committee to develop courses and curricula in the vocational education area that would meet the minimum admission requirements at colleges and universities that are scheduled to become effective in 1993. It passed...the bill passed unanimously almost in the House, 110 to 0 to 3. I don't know of any opposition here. I'll be glad to respond to any questions.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3557 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3557 having received the required constitutional majority is declared passed. 3564, Senator Topinka. On the Order of House Bills 3rd Reading is House

Bill 3564. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3564.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this would require all telephone directories distributed after July 1st, 1990, except those that are business classified directories to contain a listing of the number in use for telecommunication devices for the deaf and a listing of all emergency TDD numbers. It also carries an...an amendment which, I guess, has been agreed to at this point, that would make hearing impaired smoke detectors mandatory in hotels, one per every seventy-five rooms. And just to answer a question 'cause somebody asked me what was a...a smoke detector for the deaf, how...how does that work? It is a blinking light.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3564 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3565 having received the required constitutional majority is declared passed...3564 having received the constitutional majority is declared passed. 3565, Senator Topinka. On the Order of House Bills 3rd Reading is House Bill 3565. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3565.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this bill which is also part of the hearing impaired package, defines exactly what a hearing aid...compatible telephone mean...means and requires that all phones sold, rented or distributed after July 1st, 1990, must be hearing aid compatible. We also have cordless telephones and any telephone manufactured before that are exempt as are certain types of phones which were agreed to by amendment.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3565 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3565 having received the required constitutional majority is declared passed. 3570, Senator Smith. Top of page 10, 3572, Senator Fawell. 3573, Senator Rigney. On the Order of House Bills 3rd Reading, top of page 10, ladies and gentlemen, is House Bill 3573. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3573.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Mr. President, this is a fire marshal bill. Under current law, as I understand it, a person who is employed by the

fire marshal to determine cause, origin or circumstances of fires may carry weapons during the time that they are actually investigating. The change proposed here is that an employee of the fire marshal would be classified as a peace officer and therefore would be able to carry weapons whenever they are on duty.

PRESIDENT:

Discussion? Senator Dudycz.

SENATOR DUDYCYZ:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Dudycz.

SENATOR DUDYCYZ:

Senator Rigney, what duties do the employees of the State Fire Marshal perform that would require them to specifically carry weapons? I don't understand.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, as I understand it, the current limitation is, and it's kind of a fine point and it only affects, I think, less than twenty people, but under current law, they are allowed to carry weapons during the time that they are actually making an investigation...and it...it deals only in...in arson type of situations. Now, under the...this particular proposal, it slightly expands that power because apparently some other times when they might not technically be, you know, engaged in the actual investigation, they still could find themselves in some kind of a hazardous position and this is why that they were seeking this additional classification as peace officers.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCYZ:

I'm sorry, Senator, but I cannot understand what type of hazardous positions other than the time that they are investigating arson would the employees of the fire marshal come across where they would need to carry weapons.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, realize, this is an arson investigation and apparently when they go out, they maybe don't always technically know whether there's arson involved. I guess that's probably, you know, what they're...what they are determining.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCH:

Well, I think it's setting a bad precedent. I think it's a very bad idea and I'm opposed to it.

PRESIDENT:

Further discussion? Senator Raica.

SENATOR RAICA:

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

PRESIDENT:

Sponsor indicates he'll yield, Senator Raica.

SENATOR RAICA:

Senator Rigney, you mentioned that this encompasses about twenty individuals from the State Fire Marshal. My question is, there are other departments that employ arson investigators. Does this also encompass arson investigators with various other agencies such as, either the Chicago Fire Department or...or other cities or towns which my have arson investigators?

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

No, on it's present form, it's fire marshal only.

PRESIDENT:

Senator Raica.

SENATOR RAICA:

Another question, Mr. President, if I may. Senator Rigney, the...when...when the arson investigation is going on, obviously, it's after the fact, so I'm...I'm trying to...to get a...the answer clarified that Senator...the question clarified that Senator Dudycz asked and that's if...if the arson has been committed or supposed arson has been committed already, you have a building for...for...for one reason or another that is...is destroyed. Well, if that's the case, why would that investigator need the weapon and be classified as a peace officer?

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

I understand some of these folks that might be involved in something like this...are not necessarily friendly type of people. I can understand where there might be a certain time that they might suddenly confront a situation where they might be in need of this type of a defense.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDENT:

Indicates he'll yield, Senator Watson.

SENATOR WATSON:

When you say peace officer status, what does this do as far as their arrest authority? Are we going to have more people out there on the highways now...

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

That certainly is not the intent of the bill.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, that may not be the intent but what does it do?

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

I...the way the...the Fire Marshal's Office explained it to me, it was simply, you know, well, they were concerned about the arson type of situation and they're not interested in going out and playing cop on the highway.

PRESIDENT:

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I think Senator Watson's question has...has hit the crux of the...the opposition on the head. The concern isn't that they're going to be going out writing traffic tickets, but this will...in addition to the...the weapons protection that I have no quarrel with and which they already have during an investigation, the conferring of the peace officer status would allow them to bypass local police agencies in making determinations of probable cause and...and otherwise causing a situation where you could have conflict in a local jurisdiction, in a county or municipality, between the State Fire Marshal's new peace officers and the law enforcement officers and I believe this is the reason why the Order of Police...I'm assuming is the reason why the Order of Police stand in opposition and why I, too, stand in opposition to this bill.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

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

listened to this bill closely in committee and Tom Bestudik, the State Fire Marshal, testified on its behalf and basically explaining he has eighteen arson investigators presently employed in the State Fire Marshal's Office and the problem has been with arson, doesn't really happen in the best of neighborhoods even after the fire has occurred, and they ask for the peace officers status be granted for...for the additional protection that it gives his employees and it also gives them additional protection as you would call on their pension plan; and I don't see anything wrong with this bill, and I know there's been a few whistles been going around on the Floor already, but if you really take a look at the bill, all you're doing is...is offering these people additional protection in a very hazardous occupation. I will be...supporting this bill at the present time.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, before these employees could carry the weapons, they have to complete the Law Enforcement Officer's Training Board program. There's only about nineteen or twenty altogether and I think it's a step in the right direction. The fact that they'd have arresting powers, I think they might need them. If they go to some of these jungles where...gangs all over the place, I think they're entitled to have some protection and I speak in favor of the bill.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDENT:

Sponsor indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Is this...is this whole argument really more about making sure that the employees of the Fire Marshal's Office get an alternate pension benefit than it is anything else?

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

You know, one of the nice things about working around here is you learn something every day. Frankly,...frankly, Senator Schuneman, I had never heard that issue raised, maybe you can enlighten me on it. I...I had not heard that. It didn't become a part of the record during the...the committee process.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, that was not a facetious question, Senator. I...I...increasingly what we're seeing around here is a change in classification of people who want to come under the alternate pension benefits and that...those alternates were allowed primarily for people who are engaged in...in prison activities, actual police activities, but more and more, we're seeing changes so that if you've ever seen a gun, then you're going to be eligible for these benefits; and...and I don't know whether that's what's behind this bill or not, I'm only asking you if you...if you know about it.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this. I tell you, if once you've been in law enforcement, you will find out that at many times and especially in some of these places people who have to serve subpoenas and people who have to be where there's arson, going in and investigating this, we have a lot

of them down our way, and I'll tell you this that this is a very needed thing and it isn't that many people and it's a good bill and I strongly support it.

PRESIDENT:

Further discussion? Is there any further discussion? Anything further? All right, Senator Rigney, you wish to close? If not, the question is, shall House Bill 3573 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 17 Ayes, 36 Nays, none voting Present. Senate Bill...House Bill 3573 having failed to receive the required constitutional majority is declared lost. 3586, Senator Dunn. On the Order of House Bills 3rd Reading, top of page 10, is House Bill 3586. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3586.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. This basically says exactly what it says in the Digest. It permits municipalities in counties to provide for additional cable television franchises. I ask for a favorable vote.

PRESIDENT:

Discussion? If not, the question is, shall House Bill 3586 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. House Bill...3586 having received the required con-

HB 3598
2nd Reading

stitutional majority is declared passed. 3592, Senator Dunn. 3598, Senator Hawkinson. On the Order of House Bills 3rd Reading, the middle of page 10, is House Bill 3598. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3598.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank...thank you, Mr. Chairman. This is a bill which seeks to clarify last year's rewriting of the Illinois Power of Attorney Act. It makes the following changes. It clarifies that nothing in the Act shall be deemed to authorize or encourage euthanasia, suicide or violations of any laws or civil rights. Secondly, it provides protection for health care providers who do not want to follow the power of attorney directions and provides that they do...they do not have to follow...violate their own conscience, all they have to do is see that it's transferred to another health care provider. It passed the House by a vote of 115 to nothing. I'd be happy to answer any questions.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3598 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. House Bill 3598 having received the required constitutional majority is declared passed. 3600, Senator Etheredge. On the Order of House Bills 3rd Reading is House Bill 3600. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 3600.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is permissive legislation. It would permit those...the...the authority responsible for the...a...a housing authority to pay per diems to the commissioners of that authority. We've reduced by amendment the population threshold from sixty thousand to ten thousand, and I'd be happy to respond to any questions.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3600 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 2 Nays, none voting Present. House Bill 3600 having received the required constitutional majority is declared passed. 3607, Senator Schuneman. On the Order of House Bills 3rd Reading is House Bill 3607. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3607.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. House Bill 3607 changes the registration required for canoes and kayaks in Illinois. There are other bills that would completely eliminate the need to register canoes and kayaks. This bill is more

narrowly drawn. This one only applies to those that are owned by nonprofit organizations in the state and is introduced specifically to help organizations like the Boy Scouts and Girl Scouts. I would be happy to respond to any questions, but I would ask for a favorable vote.

PRESIDENT:

Discussion? Senator Holmberg.

SENATOR HOLMBERG:

Let me just reaffirm for our side what Senator Schuneman has said. This is just a small piece of the reason why we need to deal with the canoe and kayak registration issue this year. There is another bill, House Bill 2925, which you will have an opportunity to vote on later, which takes the whole comprehensive picture of titling and registration, whether or not rafts and float devices, water skis, all of that thing would fall under this definition. The whole area of water craft legislation is being carefully negotiated with the department in hopes that we can come up with a very comprehensive view. I agree with Senator Schuneman that this part of it does need to be handled, but I want to caution you that it doesn't take care of the whole issue that your constituents are corresponding with you about.

PRESIDENT:

Question is, shall House Bill 3607 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3607 having received the required constitutional majority is declared passed. 3612, Senator Poshard. On the Order of House Bills 3rd Reading is House Bill 3612. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 3612.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill would provide Medicaid coverage to pregnant women and children up to one year of age who are at a hundred percent of the poverty level or below. In addition, the bill allows for a demonstration project in at least one county to implement a Medicaid program for pregnant women and children up to a hundred and eighty-five percent of the federal poverty level. The bill costs no money that is already not included in the budget. I would move for passage of the bill.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3612 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3612 having received the required constitutional majority is declared passed. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, a point of personal privilege.

PRESIDENT:

State your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the...the...this astute Body, it's my pleasure to introduce to you a lady who has been the helpmate and soul mate of my congressman, Katherine Porter, wife of Congressman John Porter, who has...distinguished herself by leading a thousand women across the Turkish lines in...in Cypress, rather, with

great risk to her life. I'd like you to welcome Katherine Porter here today.

PRESIDENT:

Mrs. Porter, welcome to Springfield. Senator Welch. On the Order of House Bills 3rd Reading, bottom of page 10, is House Bill 3620. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 3620.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill will do is require the Office of the State Fire Marshal to adopt rules and regulations regarding aboveground storage tanks and associated piping. Last year, we passed the underground storage tank bill. This law tightens that up due to federal requirements and recommendations. I'd be glad answer any questions.

PRESIDENT:

(Machine cutoff)...Senator Dunn.

SENATOR RALPH DUNN:

Thank...thank you, Mr. President. Wonder if the Senator would give the explanation again. We couldn't hear it. There's a lot of noise over here and...tell us again, please.

PRESIDENT:

All right, well, let...let me ask...we have a very few moments left to be together today. So, why don't we all try to keep the noise level down. Senator Welch.

SENATOR WELCH:

Yes, to repeat what I said, what this bill does is require the Office of the State Fire Marshal to adopt rules and regulations regarding aboveground storage tanks and associated piping. Last year what we did was we passed the

underground storage tank bill. That bill required fees. This bill does not require fees for your aboveground storage tanks. Now, these are tanks over one thousand gallons in capacity. In addition, this bill makes some amendments to the Underground Storage Tank Act that are basically technical that have been recommended to us by the federal government and in...and in enforcing the existing law. I'd also point out that an amendment takes the City of Chicago out of both the Underground Tank Act last year which they requested, and this year to be uniform, they requested to be taken out of the aboveground storage tank law.

PRESIDENT:

Senator Dunn.

SENATOR RALPH DUNN:

Thank you. Does this also apply to agriculture above the ground tanks? The underground tank thing that we passed...I guess we passed it last year, didn't apply to agriculture...to farmers.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Sir, it will not apply to farmers.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Why are we doing it? Is there a problem? I haven't had any...anybody tell me we have a problem. Are we solving something that isn't a problem? What is the justification for this further infringement of the government on the rights of the citizens of this state?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Well, there is no constitutional right to have

a...leaking gasoline tank that I know of and, basically, we're trying to register all tanks, number one; provide rules and regulations so that safe tanks are in existence and make sure that the fire marshal has the authority to regulate those tanks and know where they are.

PRESIDENT:

Further...

SENATOR WELCH:

The same philosophy for the Underground Storage Tank Act.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. Well, it seems like that constitutional right is going to be available in Chicago. Why are they being exempted?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Well, I...hesitant to defend the...I will. The Office of Streets and Sanitations, as I understand, that particular government has authority over tanks in the city and they are entering into a delegation agreement directly with the federal government and with the State Fire Marshal as well concerning aboveground and underground storage tanks.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

This is the same letter that just went out from the department...from the Fire Marshal's Office to the people in our area just within the last month asking them for a hundred dollars for every...underground storage tank. Is this the same legislation? Now we're going to do this for aboveground?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

No, sir, there's no fee for the aboveground tanks. We're just promulgating rules and regulations.

PRESIDENT:

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. It may be helpful to clarify the fact that there were no witnesses that signed in opposing this bill and it passed out of Energy and Environment unanimously. So, at least at the time that it appeared before the committee, we did not perceive this to be a highly controversial bill and I would move its passage.

PRESIDENT:

All right, any further discussion? Further discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, it may be fire marshal legislation, we must read the fine print. What...what are we doing about residential heating oil? You said farmers were exempt. Are all residential heating oils also exempt aboveground?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Well, Senator Rigney, we're not really directly regulating them. What we're doing is telling the fire marshal to develop rules and regulations for the possibility of regulating them. I'm not sure how many homes have five...have a thousand gallon tanks for heating oil though, off the top of my head.

PRESIDENT:

Further discussion? Is there any further discussion? Senator Welch, you may close.

SENATOR WELCH:

Thank you, Mr. President. I think we should not confuse this aboveground bill with the belowground bill, but I'll be glad to send a letter to all the members to explain that from last year, but this is basically a bill that the State Fire Marshal wanted to...produce rules and regulations and give him the specific authority over tanks so that we have it clarified who has the authority and what may be done in the future. I would ask for a favorable vote.

PRESIDENT:

Question is, shall House Bill 3620 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 21 Nays, 3 voting Present. House Bill 3620 having received the required constitutional majority is declared passed. Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

I realize the hour is late, but let's have a verification on that.

PRESIDENT:

(Machine cutoff)...request is in order. Senator Schaffer has requested a verification. Will the members be in the seats. Mr. Secretary, read the affirmative roll.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Barkhausen, Berman, Brookins, Carroll, Collins, D'Arco, DeAngelis, Degnan, del Valle, Donahue, Thomas Dunn, Fawell, Friedland, Geo-Karis, Hall, Holmberg, Jones, Kelly, Lechowicz, Macdonald, Mahar, Marovitz, Netsch, Newhouse, Savickas, Severns, Smith, Vadalabene, Welch, Zito and Mr. President.

PRESIDENT:

Senator Schaffer, do you question the presence of any member?

SENATOR SCHAFFER:

Well, let's always start with Bill Marovitz.

PRESIDENT:

Senator Marovitz I can see. He is on the phone.

SENATOR SCHAFFER:

I'll take your word.

PRESIDENT:

Yes, he's in the phone booth.

SENATOR SCHAFFER:

Senator Brookins.

PRESIDENT:

Senator Brookins is also in the same vicinity there there somewhere.

SENATOR SCHAFFER:

Senator Jones.

PRESIDENT:

Senator Jones is to my left, as usual.

SENATOR SCHAFFER:

No comment. Senator...is Senator Collins even further of your left?

PRESIDENT:

No, I don't...I think Senator Collins is also on the phone.

SENATOR SCHAFFER:

Senator Barkhausen.

PRESIDENT:

Senator Barkhausen. Senator Barkhausen is not on the floor. Strike his name, Mr. Secretary.

SENATOR SCHAFFER:

Senator Donahue.

PRESIDENT:

Senator Donahue does not appear to be in her chair. Strike her name, Mr. Secretary. All right, on that...the roll has been verified. On that question, there are 29 Ayes,

HB 3626
3rd Reading

21 Nays, 3 voting Present. Senator Welch, the sponsor, requests that further consideration of House Bill 3620 be postponed. With leave of the Body, it's so ordered. 3626, Senator Barkhausen miraculously reappears. On the Order of House Bills 3rd Reading, House Bill 3626. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3626.

(Secretary begins to read title of bill)

PRESIDENT:

Your timing is superb. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3626.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

I don't know what all the laughter is about. I...I am sure you, the timing of that last urgent phone call was purely coincidental. House Bill 3626, Mr. President and Ladies and Gentlemen of the Senate, authorizes law enforcement officers who make a DUI arrest to impound a vehicle for up to six hours where in their judgment the offender is incapable of...of safely driving the vehicle from the scene of the offense. The bill has passed almost unanimously in the House and was kindly handled by Senators Lechowicz and Hawkinson who were hyphenated cosponsors in the Senate Transportation Committee. Be happy to answer any questions and would otherwise urge a favorable roll call.

PRESIDENT:

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates he will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Do I understand that...that if a motorist is found to be intoxicated or accused of being intoxicated to the extent that the police officer feels that it would be unsafe and...and unlawful for them to operate the vehicle that under this legislation, the police would impound the car? Is...is that what you're telling us?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, Senator Schuneman, they could...they could keep the car if there is no other means such as a friend or relative of the offender taking the car safely home or...or away from the scene, they can...they can keep the car from up to six hours. Frankly, I'm...I'm handling this bill for the House sponsor. I'm...I'm not entirely sure how, if it's the case, they're without the authority to do that right now, but anyway, that's the reason for the legislation.

PRESIDENT:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDENT:

Indicates he will yield, Senator Jacobs.

SENATOR JACOBS:

Is there a clarification...to that point or is it at the discretion of the police officer whether they will consider that there's someone available or how...how is that written into the law? I...I personally think if you give the police officers this right, you're going to have every car confiscated where this happens regardless of whether you have some-

one there or not.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yeah, my understanding, Senator Jacobs, is that it is discretionary with the police officer as to whether they impound a vehicle for this...for up to six hours or less. The...the bill provides that when a...peace officer reasonably believes that the...the person may...commit a subsequent DUI offense if...if they were to drive their vehicle away from the scene that...that under those circumstances they...they may impound the vehicle, so it...it is discretionary in that sense.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Just one...one closing comment. Was this bill requested by the tow truck operators?

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Well, I had a question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Welch.

SENATOR WELCH:

My question, Senator, is...is...how is this a constitutional provision? It seems to me to be taking property without any due process. The person...there's an allegation of a ticket, there's no...there may be probable cause but there's no proof. I'm sure...if you would... explain that to me, I would appreciate it.

PRESIDENT:

Senator Barkhausen.

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END OF REEL

REEL #3

SENATOR BARKHAUSEN:

Senator Welch, I guess my...my answer would...to that would be that it's not a...a taking in a constitutional sense and that it is in...in no way a permanent deprivation. That is why there is this six-hour limitation on the...on the period during which the police department could keep the vehicle.

PRESIDENT:

Further discussion? Senator Kelly.

SENATOR KELLY:

Now, I've got my question answered. Thank you.

PRESIDENT:

Any further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Only briefly to address some of the last concerns and also Senator Jacobs' concern. If there's any other alternative, any responsible relative or friend available, there's no authority in this bill to...to keep the vehicle or impound it. It's only when in the reasonable judgment of the officer the driver who has already been arrested on probable cause and has failed the breath test and so forth is still impaired that you don't allow a second offense to take place. But there's no authority in this bill to...to impound and keep that vehicle if there's any alternative that the...the accused has available to removing the vehicle.

PRESIDENT:

Further discussion? Any further discussion? Senator Barkhausen, you wish to call...close?

SENATOR BARKHAUSEN:

Just to make the...the point that, you know, there is I...I believe real...real urgency to this measure. Apparently, there was testimony on the...on the part of the...hyphenated cosponsor, Senator Lechowicz, who was kind enough to handle this bill in committee that he was aware in his district of a...of an instance in which an offender drove his vehicle away after...after being processed for a DUI offense and actually...actually killed an individual. So I think it is essential that we give our law enforcement officers the authority that this bill would grant and...and I ask for a favorable roll call.

PRESIDENT:

The question is, shall House Bill 3626 pass. Those in favor will vote Aye. 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, 4 Nays, none voting Present. House Bill 3626 having received the required constitutional majority is declared passed. All right. We have...Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

Mr. President, on a point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR SCHAFFER:

I would like the opportunity to introduce the Lake County chairman, Mr. Bob Neal, who's a member of the county board and a township supervisor, and the first time in sixteen years, I've beaten Senator Geo-Karis to an introduction.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I would like to introduce a member of Senator Schaffer's dis-

trict who was my former boss when I was village attorney for Mundelein, Trustee Pat Wilson, who happens to be sitting in the Democrat side of the gallery.

PRESIDENT:

He's always welcome too, I'll tell you that much.

SENATOR GEO-KARIS:

And also Larry Martinivitch from Waukegan, Illinois, one of my constituents.

PRESIDENT:

All right. Will our guests please rise and be recognized. Welcome, everybody, to Springfield. All right. We have reached the bottom of the page. Let me just say before we continue here that...that there's been a request to go to the Order of Motions in Writing. There are some motions in writing on page 29 on the Calendar, and I've discussed with Senator Philip that we should be able to handle those with some dispatch so that we can be out of here by noon as promised. We have the adjournment resolution and we have the Resolutions Consent Calendar. When we return on Tuesday, we will go to the Order of Senate Bills 2nd Reading and attempt to move those that members wish to move including appropriation bills, and then we will go to another recall list and then we will start again on the Calendar where we left off at 3636. Senator Rigney, for what purpose do you arise?

SENATOR RIGNEY:

...personal privilege.

PRESIDENT:

State your point, sir.

SENATOR RIGNEY:

On the Republican side behind me are the Republican officers and members of the Ogle County Women's Republican Club. I'd like to have them recognized.

PRESIDENT:

Will our guests please stand and be recognized. Welcome.

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise again on a...a point of personal privilege. I would like to have all welcome Mrs. Ruth Grunberg who is the supervisor of Wheeling Township, she's on the Republican side in the gallery.

PRESIDENT:

Will our guest please stand and be recognized. Welcome. And Senator Watson.

SENATOR WATSON:

Yes, Mr. President, I...point of personal privilege. Is there a possibility that we could have each of our guest stand and introduce themselves and maybe tell where they're from and especially tell us what Senator represents them. Could we have that done?

PRESIDENT:

We're...we're going to start that procedure at one o'clock. So everybody who wants to stay here and do that, you're welcome to it.

SENATOR WATSON:

...very good. Thank you.

PRESIDENT:

All right. All right, in the meantime, on the Order of Motions in Writing, a motion in writing with respect to House Bill 1844, Senator Marovitz. Motion on House Bill 3349, Senator Hall. Senator Hall. Read the motion, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

I move to discharge the Committee on Labor and Commerce from further consideration of House Bill 3349 and it be placed on the Calendar on the Order of 2nd Reading. Signed, Senator Hall.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have cleared this with both...the leaders on both sides and I've also...the chairman of the Labor Committee at the time. They had an abbreviated meeting there and so I'd just like to have that this be discharged and placed on the Calendar on 2nd reading.

PRESIDENT:

All right. Senator Hall has moved to discharge the Committee on Labor from further consideration of House Bill 3349 and asked that it be placed on the Calendar on the Order of 2nd Reading. All in favor indicate by saying Aye. All...all opposed. The Ayes have it. The motion carries. It's so ordered. 3403, Senator Carroll. 3403, Senator Davidson. Senator Davidson. Read the motion, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

(Machine cutoff)...move to discharge the Committee on Appropriations I with the amendment recommended by the committee from further consideration of House Bill 3403 and be placed on the Calendar on the Order of 2nd Reading.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is the annual appropriation for Secretary of State's budget and the Appropriation wanted to adjourn before they were able to take action on passing this out. I'd appreciate a favorable vote.

PRESIDENT:

Senator Davidson has moved to discharge the Committee on Appropriations from House Bill...further consideration of House Bill 3403. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Senator Carroll, 3542. Senator Carroll, 3543. Senator Poshard, 4094. Read the motion, Mr. Secretary, 4-0-9-4.

ACTING SECRETARY: (MR. HARRY)

(Machine cutoff)...move to discharge the Committee on Judiciary from further consideration of House Bill 4094 and it be placed on the Calendar on the Order of 2nd Reading.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4094 would set rules to be applied to any person in a situation of ill health that need nutrition or hydration. It says that unless a person has a will of life or a power of attorney setting guidelines relating to nutrition or hydration...presume that every person be given nutrition and hydration necessary to sustain life.

PRESIDENT:

Discussion? Any discussion? If not, Senator Poshard has moved to discharge the Committee on Judiciary from further consideration of House Bill...4094 and asked that it be placed on the Calendar on the Order of 2nd Reading. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 40 Ayes, 10 Nays, none voting Present. The motion carries and it's so ordered. 4107, Senator Collins. Read the motion, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

I move to discharge the Committee on Executive from further consideration of House Bill 4107 and the bill be placed on the Calendar on the Order of 2nd Reading.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

(Machine cutoff)...thank you. 4107 is a housing bill which would afford us the opportunity to have some real mean-

ingful low-income housing if we are going to be about the business of doing that, and I would just move for the discharge of committee from further consideration of...4107 and it be placed on the Order of 2nd Reading.

PRESIDENT:

Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, it's my understanding that 4107 was...currently reposes in the Executive Committee. I...I just was kind of curious as to what it did if the sponsor would be...enlightening us about what the provisions of 4107 are.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

The same thing that the rest of the bills we just discharged out without any conversation did.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and...members of the Senate, this bill was heard in...committee and was defeated. 4107 was defeated and the sponsor of both 4107 and the next bill, 4108, chose not to call 4108, got up and stalked out of the committee hearing. We all lose, we all win around here. This bill had its hearing in committee and I object to this bill being discharged.

PRESIDENT:

All right. Any further discussion? Senator Collins, you wish to close? All right. If not, the question is, the motion...Senator Collins has moved to discharge the Committee on Executive from further consideration of House Bill 4107 and asked that it be placed on the Calendar on the Order of 2nd Reading. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all

voted who wish? Have all voted who wish? Take the record. On that question, there are 21 Ayes, 31 Nays, 1 Present. The motion fails. 4108, Senator Collins. Read the motion, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

I move to discharge the Committee on Executive from further consideration of House Bill 4108 and the bill be placed on the Calendar on the Order of 2nd Reading.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, 4108 is the Medical Center Commission bill and there were still some problems to be worked out when the bill was in committee and I didn't call it. The problems has been worked out at this time and I'm moving to discharge the committee and the bill be placed on the Order of 2nd Reading.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in opposition to this motion. This bill was posted in committee. The sponsor of both 4107 and 4108 after losing 4107 in the committee chose not to call it, left the committee and said leave it. Let's leave it.

PRESIDENT:

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

You know, Mr. President, the Medical Center Commission is in my district and I've talked to the executive director of that commission, and to indicate to this Body that the problems in this bill have been worked out is a totally inaccurate representation. And I don't know who you talked to about this bill, but you sure didn't talk to anybody at the Medical Center Commission, because they indicated to me that

the problems have not been worked out.

PRESIDENT:

All right. Any further discussion? Further discussion? Senator Collins, you wish to close?

SENATOR COLLINS:

To Senator...D'Arco, I said that the problems with the amendment had been worked out. I did not suggest that I talked with the Medical Center Commission about this...about this amendment. We were working on an amendment, the commissioners of...Commissioner Still, Commissioner Roselove and others in the City of Chicago was working out an amendment and that amendment was not worked out at the time the bill was in committee. As to Senator Davidson, I did not know that you were a mind reader. Now, you cannot say that I didn't call the bill because the other bill failed, that is not the case. I said leave it...leave the other bill. I was going to leave it whether or not that had...bill had passed or failed. So you...you're not a mind reader I don't think around here, now you may be a lot of other things, but I don't think you're a mind reader. I move for...for the adoption.

PRESIDENT:

All right. Senator Collins has moved to discharged the Committee on Executive from further consideration of House Bill 4108 and asked that it be placed on the Calendar on the Order of 2nd Reading. Those in favor of that motion will vote Aye. Opposed will vote Nay and 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 19 Ayes, 34 Nays, none voting Present and the motion fails. 4125, Senator Jones. Read the motion, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

I move to discharge the Committee on Judiciary from further consideration of House Bill 4125 and the bill be placed

on the Calendar on the Order of 2nd Reading.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. Senate Bill 4125 creates the offense for drug induced homicide. The bill had a thorough hearing in committee and there was two motions made to...for a do pass motion but the chairman chose not to recognize that motion...those motions and everything and wouldn't let the bill out. As...it's a bill dealing with drugs and narcotics for those persons who are trafficking drugs. It had a very good hearing and so I ask for a favorable vote on this motion to place this bill on 2nd reading.

PRESIDENT:

Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I...I just wanted to point out that I...I thought this bill should have had a more adequate hearing in the Judiciary Committee and...and I, in fact, was the one that made the...the do pass motion. I think it's worthy of consideration by the full Body and would urge your favorable vote on the motion.

PRESIDENT:

Further discussion? Any further discussion? If not, Senator Jones has moved to discharge the Committee on Judiciary from further consideration of House Bill 4125 and asked that it be placed on the Calendar on the Order of 2nd Reading. Those in favor of that motion will vote Aye. Opposed will vote Nay and the voting is open. Have all voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 48 Ayes, 3 Nays, none voting Present. The motion carries and it's so ordered. 1844, Senator Marovitz. Read the motion, Mr.

Secretary.

ACTING SECRETARY: (MR. HARRY)

(Machine cutoff)...move to discharge the Committee on Insurance, Pensions and Licensed Activities from further consideration of House Bill 1844 and that the bill be placed on the Calendar on the Order of 2nd Reading.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. This motion has to do with a bill dealing with child...child care workers in the State of Illinois and seeing that these...these workers who deal with abused and sexually abused and neglected children and handicapped and retarded children are...are adequately schooled and trained and there was substantial support in the committee. There was never a roll call taken in committee and I think it's an important issue dealing with the children of the State of Illinois and should be dealt with on the Floor.

PRESIDENT:

Discussion? Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. I rise in opposition to the motion. There was adequate...discussion on the bill and there...there was quite a bit of debate as to whether or not the person should be licensed under the Department of Professional Regulation or should it go under DCFS. I...after discussion, we asked that the bill be placed in...in...working subcommittee to deal with the issue this fall because there was quite a bit of bickering as to where the licensure should take place and the bill did have a roll call, Senator Marovitz. We did ask leave to place the bill in subcommittee, leave was given. So those persons who do support the process of the committee

working, then they will vote against this motion.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, I...I join in...with the chairman of the committee in opposition to the motion. This is an issue which the committee felt was not ready to be sent to the Floor and, therefore, suggested that it go to subcommittee. It was...a vote was taken in committee and I think the motion should be opposed.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

If I might, Mr. President, will the sponsor...could you give me a little more information about the bill, what it does, what it's supposed to do?

PRESIDENT:

No, I'm afraid that question is not in order. All right. Any further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Well, this...this is an issue that deals with abused, neglected, retarded and handicapped children and making sure that the...that there's training for those people who are counselors for those kids and who care for those kids in institutions. That's what the issue is and you can vote against it, but the fact is, it deserves to be debated on the Floor and the people who run the homes feel that it's important to have the...the...the...the proper people in the homes dealing with these kids on a daily basis. That's what this issue is and I think it deserves to be debated.

PRESIDENT:

All right. Senator...

SENATOR MAROVITZ:

It didn't have a roll call.

PRESIDENT:

...Senator Marovitz has moved to discharge the Committee on Insurance and Pensions and Licensed Activities from further consideration of House Bill 1844 and asked that it be placed on the Calendar on the Order of 2nd Reading. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 15 Ayes, 35 Nays, 1 voting Present. The motion fails. Any other motions in writing that have been filed? Senator Carroll on House Bill 3542. Read the motion, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

I move to discharge the Committee on Appropriations I from further consideration of House Bill 3542 and the bill be placed on the Calendar on the Order of 2nd Reading.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As I had filed on 3403, and I apologize for having been off the Floor, but the Secretary of State had asked to talk to me about that motion, I'm glad Senator Davidson moved ahead. In our haste to get done with committee we left a few bills on the Calendar, forgot to call them and, therefore, they were not on the report. This one and the one to follow were to be vehicle bills to be used in the fall if necessary. I would move, therefore, that the Committee on Appropriations I be discharged from...further consideration of House Bill 3542 so it may be placed on the Calendar on 2nd reading.

PRESIDENT:

All right. Any discussion? With leave of the Body, can we do them both on one roll call...or one motion? 3542 and 43 to be vehicles to be utilized in the fall. Senator Carroll has moved to discharge those bills from the Committee

on Appropriations I and asked that it be placed on the Calendar on the Order of 2nd Reading. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motions carry and it is so ordered with respect to both bills. Any other motions to be filed will be placed on the Calendar. Resolutions, Mr...Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. With leave of the Senate, as the chief sponsor of House Bill 3900, I'd like to add Senators Marovitz, Carroll, Raica and Watson.

PRESIDENT:

The gentleman seeks leave to add those Senators as co-sponsors. If you...Senator Kustra, if you'd give the list to the Secretary, it would facilitate their record keeping. Without objection, leave is granted. Senator Smith.

SENATOR SMITH:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I'd like to take leave and request, with the approval of the sponsors, to serve as the...hyphenated sponsor on Senate Bill 2260 and House Bill 3615.

PRESIDENT:

3615. The lady seeks leave to be added as a cosponsor on House Bill 3615 and Senate Bill 2260. Without objection, leave is granted. Resolutions, Madam Secretary.

SECRETARY:

Senate Resolution 1227 offered by Senator Demuzio, President Rock and all members.

Senate Resolution 1228 offered by Senator Fawell.

Senate Resolution 1229 offered by Senator...Senators Demuzio, Weaver, President Rock and all members.

Senate Resolution 1230 offered by Senator Kelly.

Senate Resolution 1231 and 1232 offered by Senator DeAngelis.

They're all congratulatory.

Senate Resolution 1233 offered by Senator Jones, it's a death resolution.

PRESIDENT:

With leave of the Body, we add those to the Consent Calendar. Resolutions.

SECRETARY:

Senate Joint Resolution 144 offered by Senator Jerome Joyce, it is substantive.

PRESIDENT:

Executive. (Machine cutoff)...yeah. Resolutions.

SECRETARY:

Senate Joint Resolution 145.

(Secretary reads SJR 145)

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the adjournment resolution. It calls for us to come back next Tuesday, June 21st, at the hour of noon. I would move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 145.

PRESIDENT:

All right. Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 145. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Joint Resolution 145. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Madam Secretary, have any objections been filed to the Resolutions Consent Calendar?

SECRETARY:

There have been no objections filed.

PRESIDENT:

No objections having been filed, Senator Demuzio moves the adoption of the Resolutions Consent Calendar. That is Senate Resolutions 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1210, 1214, 1215, 1216, 1217, 1218, 1219, 1221, 1222, 1223, 1224, Senate Joint Resolution 140, 141, 142, House Joint Resolution 204. Senate Resolutions added, with leave of the Body, 1227 to and including 1233 and House Joint Resolution 205. All in favor of that motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the resolutions are adopted. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. A reminder once more to the members of the Senate that the Senate Committee on Revenue will hold a hearing on the Senate Floor beginning at eleven o'clock, Tuesday for the purpose of...of reviewing, not voting on anything but reviewing the content of all of the revenue options that might be available and tax relief options so that you will have that information available. Eleven o'clock, Tuesday. Thank you.

PRESIDENT:

All right. Any further business to come before the Senate? Further announcements? Senator Hall gladly moves that the Senate stand adjourned until next Tuesday...next Tuesday, at the hour of noon. Have a nice weekend everybody.

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