

85TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 18, 1987

PRESIDENT:

The hour of ten-thirty having arrived, the Senate will please come to order. The members be at their desks, and will our guests in the gallery please rise. Prayer this morning by the Reverend Paul Cox, Metcalf Christian Church, Metcalf, Illinois. Reverend.

REVEREND PAUL COX:

(Prayer given by Reverend Paul Cox)

PRESIDENT:

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

SENATOR HALL:

Thank you, Mr. President. I move that reading and approval of the Journals of Tuesday, June 9th; Wednesday, June the 10th; Thursday, June the 11th; Friday, June the 12th; Tuesday, June 16th and Wednesday, June 17th, in the year 1987, be postponed pending arrival of the printed Journals.

PRESIDENT:

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

SENATOR MAHAR:

Thank you, Mr. President. I'd like to be...seek leave of the Body to be added as a hyphenated cosponsor of House Bill 1818.

PRESIDENT:

The gentleman seeks leave of the Body to be added as the hyphenated cosponsor on House Bill 1818. Without objection, leave is granted. Ladies and gentlemen, if I can have your attention, Channel 2 is in the balcony and has requested permission to film the proceedings. The only No vote I hear

is Senator Netsch. Senator DeAngelis, turn around, they want your best side. That's the one. All right. Without objection, leave...leave is granted. Senator Hawkinson, for what purpose do you seek recognition?

SENATOR HAWKINSON:

Thank you, Mr. President. I'd like to ask leave to be added as a hyphenated cosponsor to House Bill 529 with leave of the chief sponsor.

PRESIDENT:

All right. The gentleman seeks leave of the Body to be added as the hyphenated cosponsor on House Bill 529. Without objection, leave is granted. 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 103.

PRESIDENT:

Executive.

SECRETARY:

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

Mr. President - I am directed to inform the Senate that the Senate...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 295 with House Amendments 1 and 2.

Senate Bill 339 with House Amendment No. 1.

Senate Bill 362 with House Amendments 1, 2 and

5.

Senate Bill 709 with House Amendment No. 1.

Senate Bill 787 with House Amendment No. 1.

Senate Bill 921 with House Amendments No. 1 and

2.

Senate Bill 953 with House Amendment No. 1.

Senate Bill 1040 with House Amendment No. 1.

Senate Bill 1222 with House Amendment No. 1.

Senate Bill 1223 with House Amendment No. 1.

And Senate Bill 1326 with House Amendment...House Amendments No. 1 and 2.

Passed the House as amended, June 17th, 1937.

PRESIDENT:

Secretary's Desk on the House Messages, Madam Secretary. Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

Thank you, Mr. President. With leave of the body, I would like to be added as hyphenated cosponsor to House Bill 1071.

PRESIDENT:

The lady has sought leave of the body to be added as the hyphenated cosponsor on House Bill 1071. Without objection, leave is granted. Resolutions.

SECRETARY:

Senate Resolution 405 offered by Senator Carroll.

Senate Resolution 406 offered by Senator Savickas.

Senate Resolution 407 offered by Senator Crookins.

Senate Resolution 408 offered by Senator Kelly.

Senate Resolution 409 offered by Senator Holmberg.

And they are all congratulatory.

PRESIDENT:

Consent Calendar. Resolutions, Madam Secretary.

SECRETARY:

Senate Resolution 410 offered by Senator Lechowicz. It's congratulatory.

PRESIDENT:

Senator Vadalabene, for what...I beg your pardon, Consent Calendar. Senator Vadalabene, for what purpose do you arise,

sir?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. There'll be a Democratic Caucus in Room 212 immediately.

PRESIDENT:

All right. The Senate will stand in Recess for thirty minutes, we will reconvene at eleven-thirty. Democratic Caucus immediately in Room 212. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, there will be a Republican Caucus at the same time in Senator Philip's Office. So, all Republicans...

PRESIDENT:

All right. Republican Caucus at the same time in a different room. 212 immediately, we're going to reconvene at eleven-thirty.

RECESS

AFTER RECESS

PRESIDENT:

All right. The Senate will come to order. If I can have the members' attention, those who are still within earshot, we will begin on the recall list, that's Senators Serman, Welch, Barkhausen, Vadalabene, Karpel, Woodyard, Lechowicz, Lechowicz, Barkhausen. We will attempt to handle the recall list and then move to the Order of House Bills on 2nd Reading. Senator Lechowicz, for what purpose do you arise, sir?

SENATOR LECHOWICZ:

Thank you, Mr. President. That recall list, my bill is on there. I do not want...I didn't ask to have it on there, I don't know how it got there. I don't intend on recalling

it.

PRESIDENT:

No. So there's no misunderstanding, a bill is placed on the recall list by virtue of the fact that an amendment is filed. The Chair always asks the sponsor whether or not they wish the bill recalled, if the sponsor does not wish the bill recalled, it is not recalled. The bill is in control of the sponsor. The orders from the Chair to the Secretary are that when an amendment is filed, put it on the list. But if the sponsor does not wish to recall a bill, it stays put. If I can direct your attention then. The Order of House Bills 3rd Reading, page 4 on the Calendar. On the Order of House Bills 3rd reading is House Bill 39. Senator Berman 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 39, Madam Secretary. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. In the process of this bill we put on two amendments, Amendment 1 which was discussed in committee but was, in fact, rejected, I adopted it by...in error. Amendment 2 was the one that we agreed upon which requires an annual report by the Supreme Court regarding the arbitration process. So, at this time, having voted on the prevailing side by which Amendment No. 1 was adopted, I move to reconsider the vote by which Amendment No. 1 was

PRESIDENT:

All right. Senator Berman having voted on the prevailing side moves to reconsider the vote by which Amendment No. 1 to House Bill 39 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is now reconsidered. Senator Berman now moves to Table...Senator Berman now moves to Table Amendment No. 1 to House Bill 39. All in favor of the motion to Table

HB 560  
Recalled

indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 1 is Tabled. Further amendments, Madam Secretary?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Marovitz, 421. Senator Welch, 560. Turn to the...top of page 14, ladies and gentlemen, on the Order of House Bills 3rd reading is House Bill 560. Senator Welch 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 560, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Mr. President, Amendment No. 1 is a technical amendment suggested by LRB. I would move its adoption.

PRESIDENT:

All right. Senator Welch has moved the adoption of Amendment No. 1 to House Bill 560. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Barkhausen. Top of Page 18, on the Order of House Bills 3rd Reading is House Bill 873. Senator Barkhausen 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 873, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 2 to House Bill 873 makes clear that a front-door referendum for a county nursing home can...raise a...a tax rate up to .10 percent but is not required to raise it to that level. It gives the county authorities discretion as to how...how high they might want to set their proposal in a referendum up to that amount but not necessarily at the highest level. And I would ask for the adoption of the amendment.

PRESIDENT:

All right. Senator Barkhausen has moved the adoption of Amendment No. 2 to House Bill 873. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1021, Senator Sam. On the Order of House Bills 3rd Reading, top of page 20, is House Bill 1021. Senator Vadalabene 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 1021. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDENT:

Senator Watson. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is an agreed to amendment

and it provides that when the Metro-East Transit District wants to annex a township a petition must be signed by at least ten percent of the registered voters of that township or it must be approved by the majority vote of the township board. I move for its adoption.

PRESIDENT:

Senator Watson has moved the adoption of Amendment No. 1 to House Bill 1021. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1032. 1187, Senator Woodyard. Middle of page 21, ladies and gentlemen, is House Bill 1187, on the Order of House Bills 3rd Reading. 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 1187. Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Woodyard.

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President...members of the Senate. I...would move to Table Floor Amendment No. 1.

PRESIDENT:

...we...we are dealing with Amendment No. 2. Senator Woodyard having voted on the prevailing side has moved to reconsider the vote by which Amendment No. 1 to House Bill 1187 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 Woodyard now moves to Table



HB 1237  
As called

Amendment No. 1 to House Bill 1187. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Woodyard.

PRESIDENT:

Senator Woodyard on Amendment No. 2.

SENATOR WOODYARD:

Thank you, Mr. President. Amendment No. 2 is...simply does the same thing as Amendment No. 1 did. The bill deals with Illinois produce and the labeling thereof, and Amendment No. 2 simply is...a technically correct amendment. I would move for its adoption.

PRESIDENT:

Senator Woodyard has moved the adoption of Amendment No. 2 to House Bill 1187. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Barkhausen, middle of page 22. On the Order of House Bills 3rd Reading is House Bill 1237. Senator Barkhausen 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 1237, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen on Amendment No. 1.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to House Bill 1237 which deals with the ability of a township to cut weeds

on the property of a resident of a township provides that this section shall not apply to an area which has been designated as a conservation area. And I would move its adoption.

PRESIDENT:

All right. Senator Barkhausen has moved the adoption of Amendment No. 1 to House Bill 1237. 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. Oh, pardon me, I'm sorry. Senate...Amendment No. 2 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen on Amendment No. 2.

SENATOR BARKHAUSEN:

Amendment No. 2 to House Bill 1237 provides that the township may not proceed to cut these weeds until it is given seven days notice to the property owner. And I would move its adoption.

PRESIDENT:

Senator Barkhausen has moved the adoption of Amendment No. 2 to House Bill 1237. 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. 1336, Senator Donahue. All right. Ladies and gentlemen, bottom page 24, on the Order of House Bills 3rd Reading is House Bill 1336. 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 1336. Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, members of the Senate, this amendment is the first in a series of amendments that this side of the aisle is proposing in an attempt to come up with an alternative for a tax increase. These amendments are, I suspect, in all cases, things that most of us, I think virtually all of us, really would not like to do if we didn't have to. I think the feeling on this side and I think at least to some degree on the other side is that there is not public support for a tax increase. We have not seen an alternative program and I think we have to at this late stage of the Session begin to move forward on a nontax increase budget proposal, and that's exactly what this amendment does. It's quite simple, it eliminates the optional dental care in the public...for public aid recipients. It would save an additional twenty-five million dollars annually that is part of the package that is, I think, become known as the 502 Program. It's not something we want to do, it's something I think we have to do because we do not believe that the revenues are there to balance the state budget and to meet some rational priorities which we'd be happy to discuss at any length with anyone. But this is what we think needs to be eliminated so we can move forward with a balanced budget as our Constitution...requires. Again, it eliminates the optional dental care for public aid recipients, a program that many states do not have and it would save twenty-five million dollars a year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Jones.

SENATOR JONES:

Thank you, Mr. President. In light of the fact that a

previous amendment was...was...adopted on this bill, does this amendment track...is it technically out of order?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Schaffer, I think your amendment is technically incorrect. Section 5005 A, it should be Section 5 A, I...I don't think you have the proper numbers here. We can get...Senator Schaffer.

SENATOR SCHAFFER:

Our staff is looking that over. If that's the case, we'd like to confirm it and to make the proceedings orderly, we'd like leave to be able to come back to it after we've been able to see if...you're correct and, if so, correct the situation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Schaffer seeks leave to get back to 1336 momentarily. Is leave granted? Leave is granted. So ordered. 1740, Senator Etheredge. 2021, Senator Topinka. 2022, Senator Topinka. All right. Senator Topinka seeks leave of the Body to return House Bill 2022 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2022.

SECRETARY:

Amendment No. 2 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

We're double-checking this one just to make sure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR SCHAFFER:

We're ready...we're ready. Mr. President and members of the Senate,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Schaffer, ...while we're on this, the amendment that I indicated was technically incorrect it was the second amendment that was to be offered, we didn't know there was a second amendment. So it wasn't the first one, it's the second one, so we'd had the problem anyway, okay?

SENATOR SCHAFFER:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Schaffer.

SENATOR SCHAFFER:

Ta da da. We'll take that as a sign from above or at least from the electrician. This amendment would curtail or...I...I'm not going to use the word eliminate because it doesn't, the state participation in the General Assistance Program in this state. As I think most of the members know, the vast majority of the state handles general assistance at the township level without any state involvement. Portions of the state have general assistance at the local level and have state involvement. What we're simply saying here is that the state would no longer participate in the general assistance programs and that those programs would be continued at the local level. We are not eliminating general assistance, we are eliminating state participation in that program, and I think that's an important distinction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer, had you...concluded? Oh, all right...I mean...all right. Senator Schaffer has moved adoption of Amendment No. 2 to House Bill 2022. Discussion? Senator Hall.

SENATOR HALL:

Will the...will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Hall.

SENATOR HALL:

Senator, when you are stopping general assistance in an area like mine, are you saying by cutting out the state participation that you're not eliminating it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

We're simply eliminating state support for the general assistance...program in your area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, when you do that you are stopping it, you are taking away the state participation. And if you do that, now you know there's a...distinct difference between Chicago...and...and downstate, you know that, as far as general assistance is, you are aware of that, I'm sure. So now, when you're eliminating general assistance participation, then what you're doing, in essence, is that you are eliminating general assistance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I...I would remind you of your own bill which will allow the local governments the authority to finance it at the local level which we have already passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, it isn't...it's only a hundred and some dollars a month, but the hundred and some dollars is a hundred and some dollars. So, I just want to be sure that I...that you are...understand you correctly. If you take away the state participation, then what you're doing, you're eliminating the general assistance in my area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you. If the sponsor would yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Carroll.

SENATOR CARROLL:

Senator Schaffer, maybe to avoid some confusion or cause it, as the case may be, can you describe for us the type of people who would no longer get any state assistance? Who's on general assistance? What makes them eligible for general assistance? What types and numbers of people are we talking about?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

In general, we're talking about people who are not eligible for any other state or Federal program. And I might add, this amendment would not eliminate their medical benefits, would not eliminate food stamps or their participation in Medicare.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Well, then, let's talk about who is eliminated and what is eliminated. We know that they would get food stamps and medical coverage other than some...what some of your other amendments do, what won't they get? Shelter? Clothing? Living money? What? And who are we talking about? How many people? What types of categories of people? You're saying people who are not eligible for unemployment comp. because it's run out, but are not eligible for public aid in other forms, what? I mean, so that we know what we are eliminating, and then I have some other questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Again, we're not eliminating the program, we're eliminating state support for the program and in the process saving some, I am told by staff, three hundred million dollars annually that can be reallocated to higher priority programs including mental health and corrections. We're just saying...we're not saying it isn't important, we're not saying these people aren't in need, we're saying there are higher priorities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

All right. I...it's apparent that I'm not going to get answers to questions, so let's just discuss the issue. And I think maybe the reason we're not getting apparent answers to questions, in all due respect to Senator Schaffer and the other side of the aisle, I think it's because it is an ill-conceived concept. It is a concept that has little merit, if any. To say that we will not be eliminating people from general assistance is a ridiculous statement in all due respect, Senator. Because by eliminating the state's participation in general assistance, all you have done is shift the tax burden to another unit of government. Either there will be none, so that these hundreds of thousands of people or whatever the number is, a number for some reason you are afraid to tell, either they will be absent a minimum amount in which...on which to live or you will have merely said to the local governments, raise your taxes. If your intent, as it was a few years ago from the Executive Branch of government, is to shift the tax burden, make people in Illinois pay more in taxes but just let's not be the ones who vote for it, if the issue is to give any humane level of service but



require some other unit of government to vote on the taxes so that the net impact is that people pay more, we haven't done what you claim this is accomplish and that is to save the taxpayers that burden. If, on the other hand, you want to throw these people off of any type of living wage in the sense of minimum, forty-nine percent of the minimum standard, we're not even at half the Federal standard, say so. We don't want these people to have the right to be able to have housing, to have clothing, to have those...half of the bare essentials that the Federal Government has said...and the number, Senator Schaffer, I think you better go back to your handlers, the number is a hundred an forty-eight million dollars in the state budget. I believe the number you have seen is that the fact that half the money comes from the locals now. So the three hundred million is not saved unless you're telling us the locals should cut the project as well. You cannot save double the line item that's in the state budget. If you check the budget of the Department of Public Aid, the number is approximately a hundred and forty-eight million seven hundred thousand. That's the number, not that that's a small number, but who are we serving and what are you really trying to do? It is an inhumane way to go and to say that all we're doing is saying to the locals, you raise taxes, I think the jacket is still on those who wear it. This amendment should be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Well, Senator Carroll is right about one thing, this does not eliminate general assistance in Senator Hall's district, for instance, because township government is still providing general assistance. Some of the general assistance departments in some of the townships in the state are receiving townships and those townships

receive state aid or state money for anything over...if they are levying over the ten cents. So this does not eliminate the program, it just eliminates the portion over that that the state now contributes to those townships. I believe we passed a bill out of here a few weeks ago which would allow townships to raise that levy, and I don't know what's happened to it, frankly, in the House or...or whatever, but that would allow the locals to raise the levy. Yes, it is going to pass the burden on to the local governments in those cases but it does not mean that the program is going to be eliminated. And as far as who the people that these general assistance offices serve, these are not people that qualify for public aid, AFDC, a lot of the Federal and state programs because mostly these are temporary...people that are temporarily in financial straits. General assistance was never intended to be an ongoing program for people to be on welfare, these are temporary assistance grants. I know that in most of the townships in the state that...that deliver general assistance programs, they have food pantries and they give out vouchers for fresh meat and milk and those types of things. They might pay partial rent, provide some transportation on occasion, but it's a temporary program. We're not talking about taking people off the welfare rolls that....need to live on welfare rolls. We're not talking about taking away their green cards for medical services or taking away food stamps or anything like that, we're talking about temporary aids and in most case it's a very small amount of money per person, but in an aggregate for the State of Illinois, it amounts to a great deal of money that I think that it...it's a good bargain.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Smith.

SENATOR SMITH:

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

Senate. I want to speak on behalf of this amendment that has been placed in by Senator Schaffer. I understand that...I live in the City of Chicago and I notice in the bill here that you said in cities where there is a population of five hundred population or more, and I'm sure that you're speaking in terms of the City of Chicago and you're talking in terms of a small amount of money for general assistance. Who are these people? True, they are not people who are...are eligible for public aid, but many of these people are young people who have come out of colleges and universities and they have tried to find jobs but there is no jobs for them. And so, therefore, they have to find some type of revenue and this is the general assistance that is being allowed to them. Senator Karpel stated that this is only temporary for people who are in straits. Whenever a person cannot find a job and then many of these that you have on this general assistance, they have to go four or five places every month, said that they had been out looking for jobs and there is no jobs available before they can get that money. I think that what we call a small amount to some is not for a lot of people. If you want to do this, I would like to make a suggestion to you, Senator Schaffer, and to those of you who live in the suburbs especially. We would have plenty of jobs and a lot of qualified people in the City of Chicago to maintain those jobs if those of you who live in the suburbs and ride the trains to come into the City of Chicago every morning in droves and go downtown and hold all of these jobs, and at five o'clock in the evening you go back and get on the trains and go back to the suburbs and take the money, you go out there, stay, do not come to the City of Chicago, we will have some jobs in order to maintain and we will not have to have general assistance. So, if you want to do this, think twice about all of your people who are living comfortably out in the suburbs and who are taking jobs away from the people in

the City of Chicago. I vote against this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, Senators. I'd just like for...to make a couple of remarks on the people that we're talking about on general assistance. It would be one thing, and Senator Smith was right, if there were jobs available for the youngsters and the people who go on general assistance. But let me tell you something, staying on general assistance requires an awful lot of work just to get the general assistance. So, you know, it's not really a freebie. But on the other hand, what is happening is that we're talking about a population that is denied employment in many respects. Now many of you went with me when I talked about the building construction trades, which is a perfect example where young, able-bodied kids are prevented from being constructively employed and being in the market that pay taxes rather than consume them. I think we ought to think twice before we say we will take away the one crutch that's left when, on the other hand, we won't provide the situation in which these youngsters will be...gainfully employed. Under these circumstances, I would think that this is a most untimely measure and I would be opposed to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise, Mr. President, in strong, strong opposition to Amendment No. 2 to House Bill 2022, and I suppose I have read as thoroughly as anyone, with the exception of the author, the Senate Republican 502 Plan. Fact of the matter is, there are a couple of faulty premises and obviously a faulty conclusion. One is that by virtue of this amendment,

we are going to save or be in a position to otherwise reallocate two hundred and seventy-two million dollars; that figure is simply inaccurate. Our reading of the budget book indicates that's in a hundred and forty-eight million. Further, I was told that the Department of Public Aid supports this amendment. I can't believe that, because when I sat with the Governor of this state last week...or a few days ago, he said, he didn't support it. I can't imagine his department doing other than the administration would want them to do. But let me say further that whether or not one will stand for additional revenue or a tax increase which is politically suicidal in the minds of too many around here, this is simply the wrong approach, this is a step backward. We are...for all our political differences and for all our political posturing, we are truly...and enjoy a truly compassionate public policy, and our only fault, if we have one, is we don't do enough when we know we should do more. We argued long and hard, if you'll recall, last time around and the time around before that about the fact that we had to cut back to a hundred and fifty-four dollars a month. And we all said, a hundred and fifty-four dollars a month is truly unrealistic, particularly for the hundred thousand people in the City of Chicago. You can barely rent decent shelter for a hundred and fifty-four dollars a month. And we were making an attempt to raise it, a legitimate attempt to raise it. And all hands agreed because we are truly and truly enjoy compassionate public policy. And there are a hundred and twenty-five thousand people out there amongst the eleven million of us who need this basic assistance, basic subsistence. And now, for some political reason, we are saying, uh-uh, the program is dead, we're not going to do this; we are going to take that money instead and say to the educators and the school teachers, we're doing the right thing, we're giving you an additional two hundred million dollars and we are

taking, my friends, a dramatic step backward if we adopt Amendment No. 2. I urge an overwhelming rejection of this amendment, it simply is not good public policy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Schaffer may close.

SENATOR SCHAFFER:

Well, several things I think need to be said. My handlers, by the way, tell me that last year we...or this year...this fiscal year, we will expend some three hundred and thirty-six million and that there are, in fact, appropriated right now some two hundred and seventy-three million or two hundred and...pardon me, two hundred and forty-three million dollars in the budget. I think the three hundred million dollar figure I mentioned earlier probably included the dental portion. Let me clear a couple of premises up. I'm not saying for one moment that the Governor or the Department of Public Aid supports this amendment or really had anything to do with it. And I'm...by the way, denying that we're talking about shifting the cost of this program to other units of government. I am not saying this program should be eliminated, I am saying in the vast majority of the state it is handled locally, it is paid for locally. The vast majority of the people affected by this happen to live in home rule units that have the ability to raise taxes on anything at any time. We're saying most of the state handles this on their own, why not have all the state handle it on their own? We'll have fair treatment. We're not doing this because we like it, we're not doing it because it's something we really want to do, we're doing it because the state is short of money. We are required by our Constitution to have a balanced budget. I don't see any other plans, and to blindly vote against this plan without a plan of your own, without an alternative suggestion, well, seems a little hypocritical to me. I don't see any other plan in town. This is just the

first of several cuts. Some of the cuts, in candor, I have to tell you, are very painful for some of us in the suburban area and the downstate area. We're just saying we don't want the prisons closed, we don't want the courts to run the mental health system and would like to, at least, make some effort to keep some of our promises to the education community and to keep the local and higher ed...education community, which is a prime responsibility for all of the state, afloat. It's not something we enjoy doing, it's something we feel we have to do because there is not public support that I perceive or at least this side of the aisle and I think a good part of that side of the aisle perceive for a tax increase. I don't have another plan, I'm for this one until someone shows me a better one. If you haven't got another plan, sure hope you'll be on this roll call with an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Schaffer has moved adoption of Amendment No. 2 to House Bill 2022. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 29, none voting Present. Amendment No. 2 fails. Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

I strongly suspect everyone is here but let's have a verification just to...just to do it once, and if everybody will stay here we won't have to do it too often.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer has requested a verification. Will all members be in their seats. The Secretary will read those who voted in the...in the negative, Senator Schaffer? All right, in...in the negative. Madam Secretary.

SECRETARY:

Alexander, Berman, Brookins, Carroll, Collins, D'Arco,

del Valle, Demuzio, Ralph...pardon me, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, Jerome Joyce, Kelly, Lechowicz, Luft, Marovitz, Netsch, Newhouse, O'Daniel, Poshard, Savickas, Severns, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer, do you question the presence of any of the members who voted in the negative?

SENATOR SCHAFFER:

It would appear they're all there and they're a fine looking group of people.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On a verified roll call, the Ayes are 28, the Nays are 29, none voting Present. Amendment No. 2 fails. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2167, Senator DeAngelis. Senator DeAngelis seeks leave of the Body to return House Bill 2167 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2167, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. While I was in committee I had agreed to put on an amendment which I had failed to do. Therefore, I am now recalling the bill to put that amendment on that I had committed to do so in committee. And the amendment essentially changes the penalty from a petty offense to a business offense.



PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis has moved adoption of Amendment No. 2 to House Bill 2167. Is there discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you...thank you, Mr. President. Just a point of inquiry. Senator DeAngelis, was it your intent to Table Amendment No. 1 on this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I think Amendment No. 1 was supposed to be Tabled and Amendment No. 2 was supposed to be...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I...think on this occasion that Senator Marovitz is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. So...so the Chair understands, we are seeking to now Table Committee Amendment No. 1, is that correct? All right. Senator DeAngelis...having voted on the prevailing side moves to reconsider the vote...I beg your pardon, all right. Senator DeAngelis moves to Table Committee Amendment No. 1 to House Bill 2167. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator DeAngelis offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz, are we all right on Amendment No. 2? Senator...Senator DeAngelis has moved the adoption of Amendment No. 2 to House Bill 2167. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Recalls, House Bill 2183, Senator Alexander. Senator Alexander. Madam Secretary, any amendments to House Bill 2183?

SECRETARY:

Amendment No. 2 offered by Senator Alexander.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President and to the members of the Senate. This amendment will be presented by...Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yes,...Amendment No. 2 is a...an amendment that would expand the Medicaid reimbursement and would include foot care services, foot care services which consist of approval from...for prosthetic devices by physicians or by podiatrist. This amendment was recommended by the podiatrists, and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, there may be those who think I live in a funny world, but how much does this cost?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

It's my understand that we don't...we don't have a fiscal note or anything, but my handlers indicate about a couple thousand dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Yeah, per patient. I can understand it's difficult to cut in the face of...even in the face of a serious financial crisis. Our handlers tell us this will cost an additional fifteen or twenty million dollars. I guess if you aren't willing to cut, please stop spending till we solve the crisis, that's all I'm asking. This is a bad idea, it ought to be defeated. And I'd appreciate a roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Further discussion? Senator Demuzio may close.

SENATOR DEMUZIO:

Why don't we just take this...why don't...I...I seek leave of the Body...to remove Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objection, leave is granted. Amendment No. 2 is withdrawn. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the Order of Recalls, House Bill 2190. Senator D'Arco seeks leave of the Body to recall House Bill 2190 back to the Order of 2nd Reading for purpose of amendment. Madam Secretary. Oh, Senator D'Arco, I understand

this is for the purpose of Tabling an amendment. Senator D'Arco.

SENATOR D'ARCO:

Yeah, I would...I would move to Table Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Senator D'Arco moves to Table Amendment No. 1 to House Bill 2190. Is there discussion? If not, those...Senator del Valle.

SENATOR del VALLE:

Mr. President, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR del VALLE:

In the gallery we have guests from my district, from San Lucas Church and other organizations. I'd like to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please stand and be recognized. On the motion to Table, Senator D'Arco moves to reconsider the vote by which Amendment No. 1 is adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion to reconsider is...now Senator D'Arco moves to Table Amendment No. 1. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2193. Senator Newhouse seeks leave of the Body to recall House Bill 2193 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary, are there amendments?

SECRETARY:

HB 2225  
recall

Amendment No. 2 offered by Senator Newhouse.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Amendment No. 2 to Senate...to House Bill 2193 is necessary because...the amendment that I explained previously was not put on but this one was...but the wrong amendment was put on, this would correct that. You will recall, we had some debate about that and the questions were all satisfied, so I'd move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Newhouse moves the adoption of Amendment No. 2 to House Bill 2193. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the Order of Recalls, House Bill 2225. Senator Schuneman seeks leave of the Body to recall House Bill 2225 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment is part of the 502 Program. What this amendment would do would be to repeal the section of the Statutes that establishes the Office of the Public Counsel. This office was created within the Public Utilities Act in

order to provide legal representation for members of the public who wish to bring suit in relation to compliance against public utility companies. The...this amendment would have the impact of saving the State of Illinois six hundred thousand dollars. I would move for its acceptance.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Schuneman moves...Senator Netsch.

SENATOR NETSCH:

I'm sorry, Senator Etheredge, I...I have a feeling this is of some interest to us and I'm not sure that I followed your explanation, I was looking for a copy of the amendment. Would you mind, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

I would...I would be happy to, Senator. What the amendment would do would be to abolish the Office of the Public Counsel. That is the office which was established under the Public Utility Reform Act and it, as I indicated, would save the State of Illinois six hundred thousand dollars. That's not a lot of money but it's a contribution toward freeing up some money which we would then make available for education and other higher priority activities of the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

It won't do us any good to be able to read and write if we can't pay our utility bills, and the Office of Public Counsel was created to serve a very critical purpose. And I would remind all of you that it wasn't just us, you know, free-spending liberals that did that, it was Representative Dennis Hastert who more than anyone insisted that the Office

of Public Counsel be part of the utility reform of two years ago. It is absolutely essential to have that office function in order to be able to make sure that all of the utilities are...are challenged as they ought to be when they request the kind of rate increases that they have been consistently requesting over a period of time. Without that office, there is no way that we have any absolute assurance that all of the issues are being brought out and fully litigated and fully challenged. With all due respect, Senator Etheredge, this is pound-wise, penny-foolish. It is absolutely the wrong thing to do. And if you think people out there who go wild over their utility bills want one of the few things that helps to stand between them and the utility rates to be abolished so that they have no one there in a public function speaking for them, I think you are absolutely misguided and misdirected. I strongly oppose this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR JEROME JOYCE:

Does this...would this eliminate Bill Shephard from the small business advocate in...in this? Is this that...is that this agency?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

I'm informed that...the answer to your question no...is no, Senator, no, it would not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Oh, okay. So that...that agency, that small business utility thing, doesn't come under this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

That is correct, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I can agree with some of the comments made on the other side, but we do have an active Citizens' Utility Board which does do a good job of looking into some of these rate increases. And since we are in an economic crunch and the people don't want any...don't want to see any tax raises, I think at least we have protection for the consumers through the Citizens' Utility Board, so I speak in favor of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I'd just like to point out that the Citizen Utility Board is pretty much on the ropes with...with its funding problems. As you know, a recent Supreme Court decision has indicated that they cannot solicit in bills sent out by utility companies and they've had several pieces of legislation trying to keep them alive. To use that as the excuse to eliminate the public counsel, I think is wrongheaded, because just this morning there was an amendment to a bill of mine in the House to try to practically eliminate the Citizen Utility Board. So I don't think we should wedge the Citizen Utility Board off as being the savior and eliminate the public counsel. And the public counsel has served a good function as well as the Citizen Utility Board. In particular, they were one of the first



people to come out against this so-called rate freeze proposal of Commonwealth Edison. That has not particularly been a good deal for the citizens or consumers of the northern part of the State of Illinois and I think they do serve a function, and as long as we have a check and balance system which may be eliminated with CUB having problems, we need somebody to be on the other side of the issue in fighting for consumers. So if you think you're saving tax money by doing this, you may be saving a few dollars, but what you're doing is, you're probably going to end up raising utility consumers' costs directly from their pocket. So this is false economy and I would move to vote against this particular amendment. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. A question of someone that might know. Is not the Attorney General involved in reviewing utility rates or...working with various groups statewide to review requests?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge wishes to respond.

SENATOR ETHEREDGE:

Thank you, Mr. President. In response, I could just cite Chapter 14, paragraph 4 of the Statute which says "The duties of the Attorney General shall be, first, to appear for and represent the people of the state before the Supreme Court in all cases in which the state or the people of the state are interested." And I could read further, but...the...the...indeed, the Attorney General of the State of Illinois is empowered to intervene in these cases and can represent the people of...of the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Luft.

SENATOR LUFT:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR LUFT:

Senator Etheredge, would you be willing to transfer the six hundred thousand dollar appropriation to the Attorney General's Office so he could fulfill these duties?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

What we propose to do, Senator, this...this money is...this six...six hundred thousand dollars that would be saved by the adoption of this amendment and ultimately the bill is not specifically earmarked. Actually, as further...or discussion of further amendments will show, most of the money that would be saved by these reductions which we're proposing will go to education to the tune of twenty...two hundred and twenty-five million dollars to elementary and secondary and higher education altogether.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, for a second time. I have one additional point to make, ladies and gentlemen on the other side. Remember that the Office of Public Counsel is charged with representing all ratepayers, not just residential ones. CUB tends to...to represent only residential people, but all of its money is privately raised in any event. The Office of Public Counsel has the duty to speak for all ratepayers, businesses as well as individuals. So you're cutting your own throats even with this amendment, it doesn't make any sense at all. And I repeat, if the lights aren't on because

HB 2248  
Recalled

people can't pay their utility bills, what good does it do to teach them to read and write?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Etheredge, do you wish to close.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. In presenting this argument, I am not arguing that this is not a worthwhile activity. All I am indicating is that there are other ways to resolve the problems that we have with high utility rates and representing the interests of the people, individual ratepayers as well as business ratepayers through the Attorney General and through the CUB organization. I am suggesting that this particular office is at least in part redundant, it provides us an opportunity to shift this funding to other higher priority activities of the State of Illinois among which is elementary and secondary and higher education. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A roll call has been requested. Those in favor of adopting Amendment No. 1 to House Bill 2225 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 28, the Nays are 29, none voting Present. Amendment No. 1 having failed to receive a majority vote is declared lost. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the Order of Recalls, House Bill 2248. Senator Kustra seeks leave of the Body to bring House Bill 2248 back to the Order of 2nd Reading for purposes of amendment. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. The two parts of Floor Amendment No. 1 were, I believe, bills somewhere in the legislative process which were tripped up over in the House. Two provisions, first of all, the bill...the amendment provides that state employees who are in default of educational loans in excess of six hundred dollars will be given six months to establish a repayment schedule or their employment shall be terminated. Secondly, it provides that no state agency will contract with an individual who is in default of an educational loan for goods or services. I would urge adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Amendment No. 1 to House Bill 2248. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Floor Amendment No. 2 provides that the Illinois State Scholarship legal action relative to loan defaults will be filed in Cook County. The legal staff for the ISSC is located in the ISSC Chicago office, so this just makes it possible for them to work handily in the Chicago area. I urge the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Amendment No. 2 to House Bill 2248. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Withdraw.

PRESIDING OFFICER: (SENATOR SAVICKAS)

No. 3 has been withdrawn. On the Order of Recalls, we have House Bill 2358...any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the Order of a Recall, we have House Bill 2358. Senator Barkhausen wishes to recall House Bill 2358 back to the Order of 2nd Reading for purpose of amendment. Hearing no objections, leave is granted. Senator Barkhausen. Madam Secretary, do we have amendments?

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to House Bill 2358 repeals the pretrial services program established in 1986, and which would become effective July 1 of this year. The original legislation created a new government agency within the courts' probation and court services system. It involves new employees, new secretarial staff and administrators. The annual cost is estimated to be at least...ten million dollars. And in light of the budgetary problems which

we all recognize and acknowledge, we feel, certainly on our side, that this is an item that we cannot afford at this time. We believe the program is unnecessary given what we feel should be our current budget priorities since the courts are currently handling the task to be performed without the pretrial service agency and it's of questionable value even without our budgetary considerations. I'd be happy to answer any questions and would otherwise ask for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to Amendment No. 1 and I was going to point out, and I see Senator Davidson is trying to avoid my plea, particularly with the new bail amendment that the people of this state voted in, if we are going to enter into an era of preventive detention as apparently we are...and I will say as I have said on this Floor, I voted against that amendment, voted against it in the voting booth and voted against the law to implement it, but the fact is, it's with us, and the only way that that law can be properly implemented is with this pretrial service agency so that the judge will have before him or her the relevant information with respect to the record and propensity of the accused. Without this, that law virtually is meaningless and we ought not do that. The fact of the matter is that, yes, the estimated expenditure was ten million. Both the House committee and the Senate committee have cut that down, I am informed this year, to approximately three million dollars. This was a program that passed out of this Senate unanimously, was endorsed by the Governor, approved by the Governor, and it's to take effect this year. We ought not lightly disregard it. I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I rise in strong opposition to this...to this amendment which really flies in the face of...flies in the face of everything we're doing and which Senator Davidson has taken a leadership role in doing regarding taking a look at defendants and what conditions of discharge should be regarding bail and...and the background of defendants...extremely important, that's what this...this agency is all about. It came out of a...investigation in Cook County and was one of the primary recommendations resulting from a committee that was appointed by the chief judge in Cook County and it goes into effect July 1, I think we ought to give it a chance to work. And if, in fact, as President Rock pointed out, going to have preventive detention, I think we ought to know exactly what the backgrounds of these defendants are and what...give the judges some assistance in determining conditions set for bail. And I think this is a very bad idea.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson.

END OF REEL

REEL #2

SENATOR HAWKINSON:

Thank you, Mr. President. I rise in strong support of this amendment. I think it's an excellent vote whether we have a tax crisis or not in Illinois. I strongly opposed the creation of this program, as a House member, it is something that is unnecessary that I said at the time would grow into a multimillion dollar program, and now, evidently, it's about to. I think this is a good opportunity created by our revenue shortage to get rid of a program that we don't need. The arguments that it will somehow be helpful because of the bail amendment, I do not find compelling at all. Those kinds of individuals who have committed the crimes that qualify to be detained without bail will really not be affected by this because the seriousness of their...seriousness of their crime is going to be obvious, the charge and the proof has to be great before they can be so held. In the pretrial services people really won't be involved with those kinds of individuals anyhow. This is a program that is not needed, that our prosecutors, defense counsel and probation people cover already in Illinois. It's a good chance to get rid of this program before it grows to heights that we can't support in this state.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I, frankly, don't know much about this amendment 'cause I leave the legal issues to the experts in our General Assembly. But I do want to point out something that I have seen occurring during the course of these amendments. There's been a description of these amendments that the Republicans have offered as either lacking in



compassion, lacking in understanding, doing the public in, and I'd like to clear the record on that because in each instance that we have offered an amendment, we have selected those things that either don't kill the program and offer some alternatives or programs that are unnecessary. Now I want to tell you, it may come as a big surprise to a lot of you that we, in this Body, don't make decisions, we make choices. And I would like for you to think that when you make a choice to keep a ten million program with no additional revenue, how many retarded children will not receive care, how many mentally ill will have to be released from institutions, how many inmates will be walking the streets that ought not to be, because that's what you're saying. Because when you say yes to one thing, you're saying no to something else. And I would like for you to think about what you're saying no to or yes to, whatever way you go, when you vote against an amendment that reduces spending, spending that will be reallocated, Senator Smith, for compassionate and humane purposes; Senator Netsch, to educate our children; when we reallocate those, that's the purpose of doing it. And perhaps the label of noncompassion from a political standpoint can stick. But let me tell you what is worse than noncompassion, it's hypocrisy and duplicity. Folk's, you can't put six pounds of manure in a five-pound bag, and you better start deciding which pound you don't want in that bag. The Governor is a good friend of mine, but I would rather make the choice of how we're going to spend our money rather than send it to the office, bloated and inflated with the six pounds in it and then make him...let him make the choice. I think we ought to be making those choices. So let's cut out the rhetoric about how important this is, how noncompassionate this move is. If you will look at these amendments,...if you will look at these amendments, there are alternatives available for the cuts that we're proposing but

there are no alternatives if we don't fund mental health, there are none. And I wish we would remember that as we vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz:

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I intend on supporting this amendment. I think it's...it's an area that all of us really can take a look at and it has not been funded last year, it was not in the 1987 budget request, it's coming in for a new funding level, originally at ten million, now it's three million. In all reality, this thing can be postponed, and for that reason, I'm going to be voting Aye.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR BARKHAUSEN:

Mr. President and members, I think the arguments have been made, I just would remind the Body that this is a ten million dollar item and it's a...it's a new item, and I think, if anything, we should be resisting new major dollar items at this particular time. So, I would urge the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All those in favor of adopting Amendment No. 1 will indicate by saying Aye. Those opposed. A roll call has been requested. It looked pretty close, like almost a tie. On that question, those supporting the adoption of Amendment No. 1 to 2358 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Larry, you can vote me Aye. Have all voted who wish? Take the vote. On that question, the Ayes are 31, the Nays are 26, none voting Present. Amendment No. 1 to House Bill 2358 having received

the majority vote is declared adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Poshard, for what purpose do you arise? We'll just relax for a moment. Senator Poshard has some guests here that he wishes to introduce to the Legislature. And so, with leave of the Body, I will return the microphone over to Senator Poshard.

SENATOR POSHARD:

Mr. President, Ladies and Gentlemen of the Senate, I think one of the things that all of us are most proud of in our lives is the care and concern that our mothers have for us and the things that they do for us. We're joined here in Springfield today in the State Senate with several Illinois mothers of the year. And I'd like to introduce them to you individually. Here on the Podium with me is the 1964 Illinois Mother of the Year, Frances Kiley...Killey, I'm sorry. Just wave your hand, Frances. All right. The 1973 Mother of the Year, Mary Alvey. The 1979 Illinois Mother of the Year, Della Mae Bourke. The 1983 Mother of the Year, Delight Weir. The 1984 Mother of the Year, Lois Bodeen. The 1985 Mother of the Year, Helen Kim. The 1986 Illinois Mother of the Year, Mavis Wright. Mavis. And I have the very special honor of introducing you to the 1987 Illinois Mother of the Year who resides in my district in rural Ridgway, Illinois. Just let me tell you a couple of brief things about this lady. She's a teacher, she has...she is a retired teacher now, she is a writer, a historian, she is the past president of the Ridgway Women's Club and the past state president of the Illinois League of the American Pen Women. She is the first president of the Illinois State Historical Congress in Springfield, and the founding president of the Gallatin County Historical Society. She's joined here today with several members of her

family who are seated in the President's Gallery, including Father Joel Lawler. She has six children, all of whom are college graduates and professionals. I want to introduce you for a short statement to Mrs. Lucille Lawler, the 1987 Illinois Mother of the Year.

MRS. LUCILLE LAWLER:

(Remarks given by Lucille Lawler)

SENATOR POSHARD:

Let me say too, ladies and gentleman, that several members of the Board of American Mothers Incorporated are seated in the President's Gallery here and I'd like to ask them as well as Mrs. Lawler's family to stand and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. UPI has requested leave to take still photographs. Is leave granted? Leave is granted. On the Order of Recalls...on the Order of Recalls is 2360. Senator Madigan seeks leave of the Body to return House Bill 2360 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2360, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Madigan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President and members of the Senate. Amendment No. 1 deals with the lack of a specific mention of physicians. This is an agreed amendment to accomplish that specific mention of physicians in the bill, and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Madigan has moved adoption of Amendment No. 1 to House Bill 2360. Is there discussion? If not, those in

favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2458. Senator Etheredge seeks leave of the Body to return House Bill 2458 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bill 2458, Madam Secretary, 2nd reading.

SECRETARY:

Amendment No. 1 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is another part of the Senate Republican 502 Program. What this amendment would do would be to repeal the following seven programs that we...were implemented as part of the educational reform package. I'll just read these...list these by title here so that you will be aware of the significance of this amendment. It would repeal the Administrator's Academy, it would repeal the Staff Development Program, it would repeal the...the educational service centers, the arts planning for grades K through 6, it would repeal the Truant Dropout and Optional Education Programs, it would repeal the Vocational Education Staff Development Program, and it would repeal the Preschool Education Program. The total savings that would be realized by the repeal of these programs is thirty-seven million two hundred thousand dollars. I would just point out to you that as one who participated in the Educational Reform Commission and who had something to do with the development of Senate Bill 730, the educational reform package, I'm not happy to stand up before you today and ask that you approve the repeal of these pro-

grams. But in view of the financial situation in which we find ourselves, I nevertheless stand and ask that you support this recommendation. If this recommendation is approved and some of the others that will be presented later on, the total impact on the elementary and secondary budget would be to reduce it ninety-three million dollars. So besides the thirty-seven million in reductions that I'm recommending here, there is another fifty-six million that will be coming before you. With those...those reductions of ninety-three million dollars, we are...we will propose that one hundred and fifty million dollars be added back into the budget for elementary and secondary education. So, I want to underscore the fact that while this is to eliminate certain programs, we propose to put each one of these thirty-seven million dollars back plus ninety-three million dollars more. It would be my hope and expectation, since one hundred million of the one hundred and fifty million would be put into the School Aid Formula, that that additional money going to the school districts through the formula would enable those districts who value certain of these programs, it would enable those districts to have...additional program to continue them through their...through local board action. So one of reasons it's possible for me to...to support this amendment and ask for you to support it is the knowledge that each district can decide, and...some of these instances anyway that these programs are so important to them that they will take some of the new money that they would get through the School Aid Formula and continue them. I would...I would say one further thing, because this question has...has been asked of me, this amendment does not strike the bill as it was originally...came over to us to the House, so there is a...a suicide prevention program...a...would call for the development of a suicide...a model suicide prevention program by the State Board of Education. This amendment does not eliminate

that provision; however, if this amendment is successful, I would propose to...at a later date to add a second amendment to this bill which would strike that section. So, in other words, the bill would consist of nothing more than the amendment that I am presenting to you right now. I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Berman.

SENATOR BERMAN:

Would the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...sponsor indicates he will yield. Senator Berman.

SENATOR BERMAN:

I notice on my analysis that one of the items stricken here is the Administrator's Academy. Is that a misprint? Does this amendment strike the Math and Science Academy?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

No, Senator...I...your analysis is quite correct. It would strike the Administrator's Academy with a saving of a million dollars. I am glad to provide that clarification.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Senator Etheredge. I...I was fearful that it was a misprint and I would hate to have the categorical program that was part of Senate Bill 730 that created the...the Math and Science Academy that's in your district that you fathered to be part of this attempt to restructure the money that goes to education. But let me address the rest of this, because I certainly wouldn't want to touch on a program that's in Senator Etheredge's district, but he happens to touch on a number of programs that are in the rest of our

districts. By this amendment, he would strike ten million dollars which is used for truants and optional education. Now let me tell you what that is. We talk about the high drop-out rate in urban schools, this would take ten million dollars out of those programs. Now if you think that this is wise...tax savings, let me assure you that we have a tough time addressing the needs of the kids that are dropping out that are truants, and we're trying to address that problem. All you've got to do is take that ten million dollars out of this program and I assure you that next year you'll have to add ten plus ten plus ten plus ten to address corrections and the court system and a dozen other programs where the ten million dollars has been saved. Early childhood development. Senator Etheredge, I think you're endorsed time after time in your reelection by that great Tribune Newspaper in the City of Chicago. This is their baby, they are the greatest proponents of early childhood development. I am shocked, and I hope that the Tribune editorial board sees that their endorsee is trying to strike twelve million dollars. Did you get that, Dan? Twelve million dollars...from their program. Now, aside from who likes the program, let me tell you that study after study has shown that when you start kids out the right way, which we have done in the reform package with early childhood and with...efforts that we're looking at with reading in...kindergarten through sixth, we're on the right track. This amendment is a dramatic step backward. The Administrator's Academy. Now we're only talking about a million dollars, but let me refresh your memory. We talked about reevaluation of teachers, and in the reform package we said that we want to reevaluate teachers, give them remediation program, and if they don't remediate, kick them out. That was one of the highlights of the reform package. Part of that package was a method to teach principals and administrators how to evaluate teachers, how to give them



proper remediation so that we are upgrading the quality of education all the way through our system. This would eliminate the process by which we would teach administrators how to evaluate teachers and how to remediate them. Ladies and gentlemen, I won't take your time for much of the rest of it, it's a dramatic step backwards, I strong...I stand in strong opposition to Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Will the Senator yield? I don't know, I guess I'm a...a novice at this which you're most aware of, but I guess I'm getting a little confused. I thought I'd seen some excellent smoke screens put up in my time, but I'm seeing one of the greatest smoke screens in my life today. I have heard us talk about wanting to cut welfare, we want to save a hundred and fifty-four dollars on a welfare payment and turn around and pay eighteen thousand dollars to put them in prison, that makes no sense to me. I sit here and I see everything that you're being said is said we're going to go for education, but yet we're cutting education. This is not the last cut in education that we're going to see yet today, there's other amendments that also will cut education. Education is a total process, that total process must be preserved and I...I stand in strong opposition to this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Just very briefly, I think it's time to say once again that we are hearing and will continue to hear some very eloquent arguments about why we shouldn't do all these things. But I would hope that those of you who make these arguments would give us an alternative.

What's your solution? We don't see a solution coming from those who are only opposing these changes. The State of Illinois has a problem, we either have to cut spending or increase revenue. Are you going to raise revenue or are you going to cut spending? If you don't like these cuts, and...and we don't like these cuts, I don't think we like any cuts, but what's your alternative? Let's hear...from now on when you speak against a cut, please also give us your solution to the problem.

PRESIDING OFFICER: (SENATOR DEMUZIÓ)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Mr. President and Ladies and Gentlemen of the Senate, I'll give you an answer, an alternative, as much as maybe some don't like it. Ten million for the Math and Science Academy is being asked for this year in general revenue, forty million...forty-six million in capital. Math and Science Academy, gifted program, very important. If we cannot educate the brightest and the best, where is society going? But when you have to do as Senator DeAngelis suggested, make choices and not decisions, I think the choice has to be, we worry about truancy, we worry about childhood development, we worry about the vocational educational needs of the mass majority and vast majority of the children of Illinois. I like the idea of a Math and Science Academy to encourage the brightest and the best but not at the expense of educating basic needs, taking care of an outlandish truancy problem, providing technical skills for tomorrow for those who don't happen to be gifted, who don't happen to be the brightest and the best, who won't get the Ph.D.'s from the world renowned universities, who won't be the physicists at Argonne, but who just try to make a living, stay out of jail, not be on public assistance, earn the right to put bread on their table. We have an obligation there first and

then when there's money...and my child is in a gifted program, then when there's money, take care of the gifted, and I'm a strong advocate. But first, the obligation is to educate all. You want an alternative, there's an alternative. We have taken eight hundred and forty million dollars out of the budget the Governor proposed, there's an alternative. Is there enough money for everything? Never. Never. Take both of the Governor's proposals, raise our taxes eighty percent, you'll find requests for a hundred percent increase. There is never enough if it's someone else's money. There's always enough to wisely allocate. This is not a wise choice. Maybe the answer is to take three and a half or ten from math and science to accomplish some of it, hopefully not. I don't intend that as a threat 'cause I don't like that. We should keep that too but not at the expense of these programs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, we've had several amendments here and I have to tell you one of the things about this amendment that I think should be pointed out at least perhaps for the media, this amendment really hit some districts on this side of the aisle, hits every school in my district. I've been through some of these truancy programs, I know what these programs are doing. We aren't happy about these. This is a statewide cut. The simple fact, Senator Jacobs, it wasn't your fault, you got a good alibi, you weren't here, we promised more than we're able to pay for, and what we're doing here is saying, I'm sorry, we promised, we don't have the money to keep those promises, we're going to have to cut some of these programs off, we're going to have to say some of these things can't be at this point and we're going to have to decide which ones we can save. We have identified some programs here that we say, fine, we don't have the money to keep our promise, let's be

upfront, let's not eighty percent fund everything or play games or just handle the government by press release. We can't keep our promises, we don't have the money. Let's decide what's the highest priorities, and those that don't fall in the high priority list, let's defund them. Maybe some day we'll have the money to come back. We're not saying these programs aren't good, we're saying the money isn't here today. We've overpromised and we haven't got the money, maybe, and we haven't got the courage to get the money. Let's admit it, let's find rational priorities and balance the state budget.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Karpriel.

SENATOR KARPIEL:

Thank you, Mr. President. Well, I just wanted to comment on some of the eloquent speeches that were given on the other side of the aisle. When vocational education was mentioned, I am sure that any one listening to the debate would think that we are cutting out or proposing to cut out vocational education. We are not cutting out anything to do with vocational education for students. What we're planning on is cutting out the vocational education staff development, which it says, "This program places vocational education teachers in private sector jobs for continuing education during the summer by subsidizing their wages." This has nothing to do with vocational education for the children of this state and I think everybody should know that. All we're doing...with cutting out this program is cutting out some summer job subsidizing to pay for vocational education teachers who are going to be working anyway during the summer. Another one of the programs is the arts planning for kindergarteners through sixth graders. This program provides grants to school districts for the purposes of developing comprehensive arts programs for grades K through 6 in music, dance, drama and

visual arts. The programs must include the historical and cultural significance of the appreciation for and the participation in such arts. Now I think that's a very nice program when the state has money and when we can do all these nice little additional kinds of things, but I think like anybody else's budget, when you get down to where the money isn't coming in as we'd like for it to be and things are tight, we have to cut out all the frills, and if that one's not a frill, then I don't know what the word means. When we're turning kids out of school that can't read and write, we're having trouble with dropouts, we're having trouble with drugs in schools and all these very major problems, I think we could cut out the art comprehension, art appreciation programs for kindergarteners, and if they can't learn that at home or through their own way, I think they can make...through life without that program. I think that...you know all these very tremendous and emotional pleas from the other side of the aisle are just a way of saying, we're not going to cut the program. Now, I don't know what the letters that you people are getting are like, but my...my letters that I'm getting are saying, before you raise my taxes again, at least try to cut some of the...the fat out of the budget. That's what we're trying to do over here and I would like support for this amendment because I think this one is a real good one, we're not cutting anything real basic.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. It's a very painful amendment for me. I gave and committed nearly two years of my life to educational reform in Illinois, and I was so very proud of what we did in this Chamber nearly two years ago. I am further very proud of the fact that in addition to myself others have spoken in other

states at the request of another state to explain what we did in Illinois, 'cause what we did was a landmark. By all standards, it was a landmark. And I tell those other General Assemblies and other groups that in Illinois we sat down and we worked together. All the advocacy groups, we backed away from our strong feelings in many cases and compromised and did what was good for boys and girls. Ladies and Gentlemen of the Senate, I have been very outspoken now for perhaps six months, but the need for additional revenue to fund Illinois' programs was apparent and that this spring we would have to address that issue one way or another. Needless to say, when we leave here July 1, the budget has to be balanced. Either new revenue has to be in place or programs have to be cut and it's up to us. I've made that commitment, I have said if we can get a few compromises and among them formula reform as mandated by the Act of '85, then there would be a number of us on board ready to support additional revenue. But you know what we got? We got a formula that didn't do anything for those of us who really needed formula reform. It put four hundred million dollars of money into the formula and was considered to be formula reform. It doesn't work that way and we rejected it. I read every day in the newspapers across this state comments by members primarily on that side of the aisle, a couple of them members of the Illinois Commission on the Improvement of Elementary and Secondary Education who are in this with me, who say there is no new need for revenue. There is no need for additional revenue and you've all read those statements. The Comptroller of this state at a news conference said there is no need for new revenue. If that's the attitude of the General Assembly, if that's...the attitude of some of the constitutional officers, then we have to make other changes, and we have to cut these programs that are very near and dear to us just so Illinois can balance the budget, just so we can carry on our operation

for Fiscal Year '88. It's a tough decision, a tough decision for all of us...that we have to make but make them we're going to have to do. I urge support of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Just one brief comment on Senator Karpel's point. I've...I'm not sure that I would concede that K to 6 arts planning is frivolous or a frill, but even if it is, if you had taken out some of those things that you have described as frill and put them separately and not put them into an amendment that includes the truancy optional education, which as a matter of fact, you yourself listed as one of the major commitments of the educational reform program and early childhood development, then you might have had a different set of circumstances and a different response from some of us over here. The problem is, the two largest savings in your...or in this amendment relate to the truancy optional education and early childhood development, neither of which is by any definition a frill, it is fundamental education of the highest priority.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?...Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. I...I just want to say, as a school teacher, one of the most important things that we have to do to teach any child in school is to read. I will tell you frankly that the reading program originally was in this program and those of us on this side of the aisle said, no, we can't afford to lose that program, that's the important program we must keep in. We have tried honestly to look at this whole subject and come up with cuts that we really felt although they were painful could be taken. We did make an honest attempt to look and set priorities. I

don't see anyone on that side of the aisle doing this. If you don't want to raise taxes, and that's what we're talking about, if you don't want to raise taxes and you want all the government employees to stay on board, frankly, most of whom belong to your party anyway, and you want to pay them the COLA, which means we're going to have to raise their salaries, then we're going to have to cut someplace. And I don't see anybody offering any solutions. Either offer a solution or vote for the amendments. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think that's the third or fourth time I've heard now offer a solution, offer an alternative. The fact of the matter is, particularly for those of you who sit through those long meetings of appropriations committees, there is an alternative and we will be voting on those amendments tomorrow, as we have already voted half the budget out of here. The unfortunate alternative is that we were going to have...we are going to have spending at the '87 level, and there truly is an alternative, and don't hide behind these kinds of cuts because what Senator Netsch pointed out, and as Senator Maitland agonized, when you have to attempt to reorder some priority and...and reallocate some money on the back of early childhood education and truant and optional education, my goodness, that is truly regressive. There is an alternative, the Chief Executive of this state has given us three or four different alternatives and we have yet to have an opportunity to vote on that alternative. Give us that opportunity, Senator Fawell, give us that opportunity.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Etheredge may close.

SENATOR ETHEREDGE:



Thank you, Mr. President. I guess I should direct my comments not only to my colleagues here on the Floor but also the Chicago Tribune in the light of one of the remarks by the earlier speakers. It has been suggested that these cuts which would be made by enactment of this amendment are cuts that would take place in somebody else's senatorial district, that is not true. These cuts affect every school district in my district. I have been lobbied by school administrators and school board members and teachers as recently as yesterday on these programs. These programs are close to me and close to the people in my district. What I am suggesting, and let me repeat, the bottom line in this program is to add, add, more money to elementary and secondary education than current plans make available. We're talking about freeing up a hundred and fifty additional dollars for elementary and secondary education one hundred million of which would go into the state School Aid Formula and would be distributed to districts across the State of...Illinois. It would be my hope and expectation that those local school boards would make the decision by action at the local level to continue these programs. But what we are...so what we're really doing here is giving the local school boards the opportunity to make the decision since dollars are limited, give them the opportunity to make the decision how those dollars are going to be spent. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Etheredge has moved the adoption of Amendment No. 1 to House Bill 2458. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 29, none voting Present. Amendment No. 1 fails. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Inasmuch as that one failed, I will withdraw the amendment that would have eliminated the Math and Science Academy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll seeks leave to remove Amendment No. 2...withdraw Amendment No. 2. Leave is granted. Amendment No. 2 has been withdrawn. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. The...there's been a request to have House Bill 2727 heard before 2532. On the Order of House Bills, 2727, Senator Kustra. All right. Senator Kustra seeks leave of the Body to return House Bill 2727 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 2727, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a continuation of efforts at implementing the 502 Program. What this amendment would do would be to repeal the Bilingual Education Article of the School Code at a savings of eighteen million three hundred thousand dollars, and...the amendment would not, obviously, prohibit school districts from continuing to offer bilingual education but it would...because they if the proposed additional monies were made available to them could continue to offer the program,

but it would be on the basis of a local option. I would be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I served with a number of you for many years in the Illinois House of Representatives and one of the things that I was always embarrassed by by the House, and I think they still do it, is that when the categorical funding bill for appropriations for schools would come up, Session after Session, somebody would stand up, offer an amendment to strike bilingual, it would carry the House and time and time again it was always the Senate that restored logic responsiveness...responsibility to that process. And it always gave me great pride to serve here because we didn't play those kinds of games. I hope that we won't play those kinds of games today. Transitional bilingual education, we've all had our differences with it, we've all taken many of those...administrators and educators over the coals because sometimes they had a tendency to build a maintenance program rather than a transitional program. But I believe that they have gotten a strong message, and studies have been made to show that, in fact, the three-year transitional program that we wisely passed a number of years ago has, in fact, been working. This is a program that helps a segment of our population that is in dire need of a method to...to learn English, to learn how to read in English and we use their...native language to allow them to bridge that gap. Now, this is a program which is not solely Chicago; thirty-three thousand students are served in Chicago, eight thousand are served downstate. Now I think it's really...very interesting that with the combination of proposals that we have seen from the other side of the aisle

today, forget about the Chicago ones, let's talk about eight thousand students downstate that are the beneficiaries of a bilingual program and at the same time they seek to cut out general assistance funding. So what we're going to do is take those people that have...that live downstate, that come from foreign countries, that cannot speak adequate English and we're going to eliminate a program that allows them to learn English, learn how to read and write and then at the same time we're going to cut out a program by which their parents may be able to pay the rent. That's a great forward effort, ladies and gentlemen on the other side of the aisle. Shame on you...shame on you. And this, I think, is totally discriminatory, discriminatory because these children are here because their parents have come here, we're trying to show them how to be good citizens. It's an important program, it's a necessary program, the future of these children are at stake. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I rise in strong opposition to this amendment. I come from a district that has a substantial Hispanic population and bilingual education turns out to be an important ingredient for the education of the children all over the State of Illinois; we all know that, there's no question about that. And I've heard arguments time and time again about the effects of bilingual education. And if it was good for our ancestors, and when our ancestors came over here they had to learn the culture in our society, and if it was good for them, then it's good for everybody else. The problem is that our ancestors came over here many, many, many, many years ago when education wasn't as important as it is today in our society, because without education today in our society, a person doesn't have a chance to succeed in

whatever endeavor he chooses for his career. We all know that, that's why this whole argument about cutting funding for education really is...is ridiculous and it shouldn't even be made today in this Chamber, and particularly this argument about bilingual education because these children can't make the transition without being taught a second language. And, Senator Etheredge, you, a staunch advocate of fostering education in Illinois, and I respect you for that, and I respect your Math and Science Academy endeavor because we should...we should have the best and the brightest in Illinois for all Americans to see, there's no question about that; but these kids are struggling, these kids come from the other end of the spectrum, these kids don't have the cultural advantages that the kids that go to your science academy have, these kids are trying to make it up the cultural ladder with two strikes...against them at birth. Believe me, it's not easy when you live in a society when you're struggling to come upward, it's not easy. So don't take this away from these kids.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? There are many lights. Senator Dudycz.

SENATOR DUDYCZ:

Yes, thank you, Mr. President. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Senator, after listening to our colleagues on the other side of the aisle, it appears to me that they are trying to tell us that this amendment will eliminate totally bilingual education. Is that true?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, what it would do would be to eliminate the bilingual mandate. School boards would still have the option of offering the program if they chose to do so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz. All right. Further discussion? Senator del Valle.

SENATOR del VALLE:

I am, Senators, members of...of the Senate, amazed. I am almost thrown at a loss for words but the time has come for me to speak out. I don't understand how we can say...how members of this Senate can say that cutting truancy programs, alternative programs, cutting preschool programs is cutting out the fat. I don't understand how members of the Senate could say that eliminating the mandate for bilingual education and eliminating the funding for bilingual education is also cutting out the fat or doing away with program areas that aren't important. I don't understand that because I come from a district that is primarily Hispanic, a district that is in dire need of all these programs, a district that has spoken out time and time again for the need for help. We are talking about dropout prevention, we are talking about alternative programs, we are talking about preschool for a population which is the fastest growing population in the State of Illinois. And you would know that because many of your districts, on the other side of the aisle, are seeing that. We are talking about the need for bilingual education for those that are now going to participate in this so-called immigration reform law. What about that population? Are we going to ignore them? Are we going to allow them to experience the kinds of traumatic experiences that I experienced as a youngster in the Chicago Public School System when I was put in a corner in my first grade because I could not speak English and ignored for an entire year? I cannot stand here

today and allow you to assure that many more Hispanics and Ukrainians and Polish and other ethnic groups experience the kinds of negative...negative feelings that last a lifetime. And so I ask you to please reconsider, and I urge the members of this Senate to vote No on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We have the following Senators who have sought recognition: Senator Geo-Karis, Senator Severns, Senator Lechowicz, Senator Newhouse, Senator Poshard, Senator Collins. The next speaker is Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

I just to make it clear in my mind, if we pass this amendment, you are not eliminating bilingual but it's being left up to the local schools to make the determination of the needs of bilingual programs, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Etheredge.

SENATOR ETHEREDGE:

What this amendment would do, Senator, would be to eliminate the bilingual mandate. And, of course, as I've indicated earlier, it is our hope and expectation that we can distribute additional money through the...School Aid Formula which would make it possible for local school districts to decide which of the programs they wish to continue and...and which not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

If I understand you correctly then, what you're doing, and please correct me if I am wrong, if what you're doing is

allowing...the local schools...local school boards to decide if there's a need for the bilingual program, which there is in my part of the district. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

That is correct, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

So, you're not really eliminating it entirely as it seems to be sounding like here, and that's what I want to clear up. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and members of the Senate. I rise in strong opposition to this amendment. We are the only country in the major industrialized world that does not require a second language as a prerequisite for high school graduates. We are already a nation and a state that is far behind the rest of the industrialized world in the area of bilingual ed. Do we in the great State of Illinois want to tell our young people that we do not want to adequately prepare them for the challenges of the global marketplace? Do we really want to move backwards? I don't think we do. We should be increasing dollars for bilingual ed. in this state and make it a requirement for the young graduates of high schools throughout the State of Illinois. We shouldn't be decreasing dollars. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

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



Senate. The question was raised whether this state mandate would eliminate the fundings for this type of a bilingual program. And to answer Senator Dudycz and Senator Geo-Karis, the difference is, this type of funding would be approved by the school districts, would also then...the funding mechanism would come from local property taxes. The key right now is that the state provides this type of funding to school districts, and the figure of eighteen million dollars was mentioned because that's what it is. But let's go back and really make an understanding and a commitment of how these children, 'cause we're talking about children, make the gap, stretch the gap and make an understanding of how the American system really works, and that's only through education. It's a sad day in Illinois when we have these types of amendments being offered when all of us know these programs were funded at last year's funding level. This is really a very sad situation and the scenario that we should not be voting upon at this time or at any time. These are programs that are a necessity. This is not a frill. This program is a passport for the students that have come here from various lands, various ethnic backgrounds and need this type of support to understand and to realize the American dream. And the American dream is only accomplished through the educational process. People from all walks of life have always strived and stressed the importance of education and only through this vehicle will they be able to participate. And now you're offering this type of an amendment? It doesn't deserve one Aye vote. This is totally uncalled for. This country was built...it's a cosmopolitan country based upon everybody was welcomed and you had an opportunity to learn and hopefully to rise to your best occasion, whatever field you wanted to participate in. But in order to do that, you had to go through the educational process. You're trying to...deny people who deserve better faith than what's being offered here today.

This amendment should be soundly defeated. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, and certainly with all due respect to my colleagues, we've only so much time during the day. But this is an extremely important bill and I'd like to just make two points. The first point I'd like to make is on the timing. The difference between the last generation's immigrants and those persons who are coming to this country today is that at that point in our history there were industrial jobs to be done, menial jobs to be done, there was some need for those assets for hands-on kinds of training. We're talking about a very different society now. We're talking about a highly technical society in which those who are unlearned do not have the capability to do the job. Now I think we all know what the statistics are right now, we know what the statistics are on dropouts in high school, we know what the statistics are on entry into higher education. We also know that the next pool for higher education is going to be minority pool and an unprepared pool. If they're...that pool is unprepared for both higher ed. and for the labor market, that means then we'll have an unproductive pool to take care of that increasing elderly population that we have that is eating up resources, pension benefits, social security, health care; someone's got to pay for it. Secondly, certainly industry needs that brains and talent. Right now we're taking second seat to Japan, and other industrial countries are looking at us with a jaundiced eye, they're coming at us, and this, what we're talking about, is that population is going to be that on which we will depend to maintain the standard of living for which this country has become famous. So if you ask who benefits from this, it isn't simply those youngsters who need this training and who desperately need

for their own advancement the...the assets that we're discussing right now. The fact though is that the overall society gains or loses based upon the stand that we take today. If we say to these youngsters that you will have to struggle through based upon...your native language, your native tongue, without an understanding of what's going on around you, then we're saying that our next generation, those upon whom we're going to depend, are going to be unprepared. I think we ought to keep those two things in mind. That who gets hurt? Yes, the children get hurt but our society gets hurt even more. Who pays the cost? Well, certainly they're not going to be able to cost...pay the cost. Somehow...somehow, that cost is going to be added to someone's tax bill sometime down the line and it's going to be astronomically higher than that which we contemplate today. This amendment ought to be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? We have Senators Poshard, Collins, Jacobs and Carroll. Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. I attended a hearing in Chicago last year, I can't remember the exact time, but the hearing was on one of the very dramatic problems that the State Board of Education was experiencing in the special education area in the City of Chicago. And we were discussing how that problem evolved. It seems that there was an inordinate percentage of Spanish-speaking youngsters in the city's educational system in the special...education programs and we discussed how that came to be. Did they have less ability than other students in the system? And the answer was clearly no. Did they have less potential than other students in the system? The answer was clearly no to that also; then what was the problem? Why were so many of these youngsters in the special education pro-

grams? And we found out the answer. The answer was simply because the students could not speak English well enough, they became discipline problems in the classroom because the English-speaking teachers could not understand them or teach them. And they became discipline problems, and in order to get them out of the classroom, thus, taking care of that problem, they were simply turned over to special education classrooms in which, of course, they didn't get the regular basic curriculum that all the other students were getting. That's what this amendment is all about. I don't think we should continue to have to punish children, to keep them from getting the basics of English or math or science or any other subject simply because their skills in English are not good enough. I would hope that we would defeat this amendment because those children deserve the same chance that every other child in our society deserves to get an appropriate education. Let me tell you another problem that I think in a very small measure this...this amendment speaks to, and I hope I'm not...overstating the case. We've talked about the mass immigration of immigrants to this country in our previous history and how we accommodated those immigrants in terms of all kinds of English as a first language or a second language program, we assimilated those people into our society. But those immigrants for the most part were northern European immigrants, they shared a common culture, a common background, a common heritage, for the most part.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR POSHARD:

Now we have a lot of folks coming into our country based upon...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard,...can I...can I...Senator...Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

Mr. President, Ladies and Gentlemen of the Senate, I...I think it is...is evident the direction we're going here, I think we're going to end up with another 28, 29 vote as we've had on several of these minutes...earlier amendments. I think it is...as one of my colleagues has pointed out, what started out as a 502 Program is now the 10 Program. This program, it's obvious, is...is not going to go anywhere. I think it is needless for us to prolong the discussion on this amendment. I would ask those that have not received these series of amendments that...that we have some...some other suggestions that...that are brought forward that will enable us to carry on the state's programs and at the same time balance our budget. Mr. President, I ask that this amendment be withdrawn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Etheredge has sought leave to have Amendment No. 1 withdrawn. Leave is granted. Amendment No. 1 is withdrawn. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Based on that action, I will withdraw Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll withdraws Amendment No. 2. Amendment No. 2 is withdrawn. Well, we're not telling you. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd Reading. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Just to advise the members who asked what it was. It was as the second amendment would have been on the last bill. It would have been the elimination of the Math and Science Academy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further...Senator...Senator Collins, for what purpose is your...all right. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Well, it...it might be a wise suggestion on the part of...a wise move on the part of the Senator Etheredge to do what he did, but I would like to perhaps say something to my colleagues on the other side of the aisle who I have a great respect for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator...Senator, what...what is...what is your point, we're...we're on the...

SENATOR DeANGELIS:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR DeANGELIS:

You know, everybody has gone to the grocery store at one time or another, and I don't know if it happens to me more frequently than somebody else, but I always manage to get into a line in which somebody has three carts full of groceries and then the clerk says, that will be ninety-two dollars and forty cents and the person finds out they only got seventy-five dollars. And they begin to agonize over what they're going to take out of the cart. In fact, I've even had this happen to me in the express line. Well, the Republicans have offered some items to be taken out of the cart, maybe those aren't the items the Democrats want to be

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taken out of the cart. But I would wish...I would wish that if you have any suggestions, that you come forth with them. If you don't, you better come up with the other seventeen dollars that we're short so we don't have to stop the grocery line and take the items out of the cart. I mean,...and I offer that as a sincere suggestion, not to belittle anybody. Nobody likes making cuts. And, Senator del Valle, I agree with you, the first language I ever spoke was Italian and there was a nice first grade teacher who would stop by my house every day after school and tutor me on it and I really appreciated that. Probably that doesn't exist anymore.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock, for what purpose do you arise?  
SENATOR ROCK:

On a point of personal privilege. In response to the gentleman's sincere admonition to the members on this side, let me just say that I, as I indicated earlier, have read the press release probably as thoroughly as anybody but the author. It didn't say you're cutting five hundred million, you are reallocating five hundred million. You are taking from one program and redistributing to another. And the fact of the matter is that as an alternative to the Chief Executive, because he does not seem to have any support over there, we have said, in the Senate Appropriations I and II Committee, look, folks, we're going to be stuck at the FY '87 spending level, it's a maintenance budget, that's the best we can do. But lest anybody misapprehend, this is not a five hundred million dollar cut in state spending, it is a five hundred million dollar reallocation from the have-nots to the haves, I suggest, and it's bad policy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. House bills 2532, Senator Philip. Senator Philip seeks leave of the Body to return House Bill 2532 to the Order of 2nd Reading for the purpose of an amendment. Is

leave granted? Leave is granted...House bills second reading is House Bill 2532, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. It's a technical amendment. What it does, it allows counties under a million who issue revenue bonds for the purpose of highways and bridges that they're limited to thirty year's issuance of the bonds. Secondly, it also states that the state is not liable for those bonds. Be happy to answer any questions. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Carroll.

SENATOR CARROLL:

Question of the sponsor, if he will yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Carroll.

SENATOR CARROLL:

Truly in terms of a question, Senator Philip, the amendment on its face indicates that what you are saying, and I'll quote, it says, "County boards are authorized to use Motor Fuel Tax monies to pay principal or interest on such bond...on such bonds without any prior appropriation and without regard to any budget law." What...we don't understand what you're attempting to do, are you allowing them to violate budget laws and to violate their own internal appropriations process? Why would we give them statutory authority to not have to appropriate the funds themselves or us, which I don't think we would want to do, if you mean by this we would not have to appropriate, and why would we say they could act without regard to any law, budget law or otherwise?



If they want to change their law, let them come in and say so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Yeah. Of course, this amendment was drawn up by the Bond Counsel. What you have to do is, Senator, is by a resolution of the county board decide you want to use the Motor Fuel Tax money for general revenue bonds for the purpose of highways, roads and bridges.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

With all due respect, Mr. Minority Leader, it does not answer the question as to...Bond Counsel notwithstanding as to why we would authorize somebody to act contrary to law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Yeah. Why don't we pull her out of the record, Mr. President, and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR PHILIP:

...I will sit down and go over the amendment and hopefully...it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Okay.

SENATOR PHILIP:

But I have a second amendment, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, why don't we just do them both at the same time.

SENATOR PHILIP:

Yeah, thank you, Mr. President. I would just

like...make...to make an observation. I want to withdraw Amendment No. 2...as you're probably aware, most of us on this side of the aisle are convinced that there is slim to none chance of a tax increase. If that is correct...and Senator Rock, I think, has said it as accurately as anybody, tax increase is dead, and that's probably a pretty accurate statement. If that is true, we on the other side of the aisle thought that we ought to decide on what we thought the priorities for the State of Illinois should be; education, mental health, corrections, Department of Children and Family Service, and reallocate those funds where we think that they are sensitive and necessary and that was our attempt today. Obviously, the other side of the aisle does not agree on our priorities. I suppose what's going to happen around here, it's all going to get down on the Governor's Desk sometime in the first part of next month, I imagine, and the Governor will decide on what his priorities are, not the legislative bodies. So this is our last amendment. I think we've proved our case and, quite frankly, it's not easy to cut anybody's budget, it's difficult to take money away. Everybody was being hurt, everybody was being hurt. We were reallocating more money for education, for mental health, for corrections, for Department of Children and Family Service. We think those are high priorities. Well, we have shrunk our responsibilities, maybe the other side of the aisle will come up with a plan, a reasonable plan, we're certainly willing and able. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Philip, so there's no misunderstanding now, we're...House Bill 2532, we're going to take it out of the record and you may withdraw Amendment No. 2 simply by having your staff come down. All right. Take it out of the record. All right. So we took it out of the record, so it remains on the Order of...of 3rd Reading. House Bill 2766,

Senator Barkhausen seeks leave of the Body to return House Bill 2766 to the Order of 2nd Reading for the purpose of an...an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 2766, Madam Secretary.

END OF REEL

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REEL #3

SECRETARY:

Amendment No. 3 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, moving from the controversial appropriation matters to the routine, this is an agreed amendment between the Comptroller's Office and the operators of cemeteries on this subject which is basically a...a bill from the Comptroller's Office, and I would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen has moved adoption of Amendment No. 3 to House Bill 2766. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2837. All right. We have now...well, we have completed the recall list. All right, with leave of the Body, there was a...additional bill that was to be added to the recall list. It's House Bill 2846. With leave granted, we will add that one and, Senator Schaffer...all right, Senator Schaffer is the sponsor, seeks leave of the Body to return House Bill 2846 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2846, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Frankly, Mr. President and members of the Senate, this particular amendment is extremely timely in view of the President's last remarks. He seems to be saying that we're going to hold everything to the '87 level and...and, in effect, that will mean a decrease since we all know with COLA agreements and cost of living increases and inflationary driven costs such as utilities, that...it's not as easy to do as much with this year's budget next year. This is an amendment that I've had a great deal of help from Senator Berman refining, and it simply says to the school districts of the state that we apparently are going to give exactly the same amount or less, and I'd bet on less at this point, since, obviously, our attempts to reallocate more have fallen short of the mark, that if we don't fund the mandate to the tune of ninety percent, addressing one of Senator Berman's arguments, that they can request from the State Board of Education to be exempted from that so that they can reallocate their diminished finances that we are not being allowed to reallocate additional dollars to. We do not include the school lunch program, at the request of Senator Berman; we do not request the special education programs, at the request of Senator Berman, and in...in the last version of the amendment, he pointed out that we had included the basic language arts, mathematics and science. We do not include them, Senator Berman. We basically allow them to request from the State Board of...Education the ability to be relieved from some of the unfunded and perhaps less important mandates that will curtail their ability to deliver a sound, basic education program since we apparently are not going to give them any money because there's no public support for a tax increase, when most of them aren't too enthusiastic about, at least in

my area, and because we are not going to be able to reallocate. If you're unwilling to raise taxes and you're unwilling to reallocate, for crying out loud, let's at least give our school districts the option to get out of Arbor Day and some of the ridiculous mandates that we've foisted upon them for the last twenty years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Schaffer has moved the adoption of Amendment No. 1. Discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senator Schaffer, I want to compliment you, you are learning. By the middle of July, I think this will be perfect. I hope not. I stand in opposition to this amendment. First of all, I think it's somewhat ironic, but that's nothing new, that this is being attached to a bill that adds four million or so dollars to...to...a new program. I think the sponsor is...the minority leader in the House. Does this amendment strike everything? It doesn't. It's an add-on, is that correct? Oh, okay. Well, just so we're consistently inconsistent. Although he's trying to make improvements, he still fails and let me tell you why he...why Senator Schaffer's amendment still fails...that's right. This doesn't prevent a school district from cutting out, eliminating vocational education, bilingual education, summer school. Now, let's talk about that for just a second, summer school. In the reform program, we pumped new money into summer school because it was to address the students that needed special help during the year. It made sense. It's working well. This amendment could jeopardize those summer school programs. Physical education. Now, I...I think that there are some members on the other side of the aisle in particular who are strong proponents. Where's my friend, Senator Kustra? Senator Kustra, a strong proponent of physical education. This amendment jeopardizes

that. I presume I will see a red light next to your name. Driver education, vocational education, I mentioned before, adult education. Ladies and gentlemen, the same infirmity of this amendment existed in the previous ones. Education is not funded only by categorical grants. It's not funded only by state sources. We fund education with a combination of factors, categorical grants, general state aid, local real estate tax dollars and some Federal money. It is up to the local school boards to balance all of those sources and provide a decent program, a necessary program and we, as...pumping in a couple of billion dollars happen to say that there ought to be some programs that should be funded and carried on and delivered to every child in the State of Illinois. There's nothing wrong with those mandates. There's nothing wrong with the...several avenues of funding lending themselves to some mandates that we dictate. I urge a No vote on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I just wanted to tell Senator Berman that I won't be joining him on this vote. I know you're disappointed and surprised by that, Senator, and I'll tell you why. First of all, I think it's important to note the fact that, yes, I'm a supporter of physical education. I think it's a good mandate and it ought to stay, but Senator Schaffer has said it already and there's no sense in my carping about it, the fact is we have to establish some priorities, and if we can't fund programs properly, then we shouldn't be telling the locals how to run them or to what extent they can run them; but I think what really disturbs me about the tenor of Senator Berman's remarks and those who have spoken like he has spoken is that somehow...and I assume that you can only take this position

if you're from the City of Chicago where you don't elect a school board. It's the only thing that...that can possibly account for this glaring oversight in your remarks, Senator Berman. Every school district in the State of Illinois except one elects people to their local school boards and they run on platforms, they're brought into office by caucuses and they debate what kinds of programs their local communities should have and how their kids should be taught and they go through the same kind of an electoral process that you and I go through, and what you're saying is, they don't count, they don't make any difference, we don't care whether they're elected or not, we don't care whether the people are paying any attention to them or not or whether they pay attention to their people. We here, in the State Legislature, have the infinite wisdom to tell them what they should be doing and to what...or to what amount of money they should be doing it. I say that's crazy in this particular year at this particular moment. This is the time when our local school boards deserve a little respect. They are accountable and responsible to their electorate and if we're not going to give them the funds to mandate...to run those programs, then let's at least back off of them a little bit and let them exercise the responsibilities which were given to them by their local voters. Now, I can't help it that Chicago doesn't choose to elect its school board, but we in the rest of this state do and let's have some respect for those school boards and pass this amendment.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please...

PRESIDENT:

Sponsor indicates he'll yield, Senator Collins.

SENATOR COLLINS:



...yes, Senator Schaffer, and I don't...I just have a copy of the amendment, I don't have a copy of the bill right here, but I would like to know from you what new program were you adding this amendment to?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

It is a program that would require transitional planning for the developmentally disabled people that are coming out of the special education programs of the state. The four million dollar cost figure, by the way, is at least new to me...although I...be the first to admit there's a cost factor, I didn't think it was that high.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Well, Senator, is this an example of how you put the 502 Program together, that you did not take a look at, first of all, thoroughly the new programs and...that were proposed by that side of the aisle and what they cost...what they entailed and how did you arrive at your priorities? Now, we have been here all morning talking about some kind of a...a...a...502 Plan that would save this state from financial ruins, and as Senator Rock said, it most certainly was not cut, you were just taking from the...the...the needy and putting it someplace else...I...it...it...it's amazing that we've gone through all of this all the morning and yet we're still proposing new programs, and I...I'm just shocked that you would...would even consider adding this amendment to that program without knowing how much it was.

PRESIDENT:

Further discussion? Any further discussion? Senator Schaffer, you wish to close?

SENATOR SCHAFFER:

In response to Senator Collins, it's a pilot program and staff informs me that our cost estimate are two hundred and fifty thousand dollars and, frankly, I think it's a high priority. I'd be prepared to take it out somewhere else and we've given you some suggestions, and if you ask me where we set our priorities, in all candor, Senator Berman set them on the last three amendments. He's given us guidance and pointed out or deficiencies. Let's analyze the situation. We were unable to redo the School Aid Formula, that's going nowhere. There's no public support...or apparently no public support for a tax increase, that's going nowhere. There apparently is no support for reallocating additional money to education, that's going nowhere. The end result is that we are at very best in a stagnant situation where school funding will remain stable, probably because, frankly, I don't think just staying at '87 funding levels does the job and I think most of the people that crunch numbers like Economic and Fiscal probably will admit that, means if we leave here at '87 levels the Governor is probably going to have to take five or six percent across the boards, and that's great, we'll let him be the budget maker of the state and abrogate our duties in total. I don't why we take salaries sometimes. That means the schools are probably going to get cut. That means that they're going to have to make some judgment calls and if we're unable to reallocate our priorities,...and by the way, this is not part of the 502 Plan, this has nothing to do with the 502 Plan for both caucuses, I know I may lose a couple of Republicans by saying that, but it's not part of the...the 502 Plan. All I'm saying is, even though we don't seem to be able to get our act together and reallocate our priorities, let's loosen the hands of the school boards, the...the locally elected school boards and that one appointed school board to be able to balance their budgets with diminished dollars from the state and give them a little

leeway. I don't view it as a partisan issue. It's not of the 502 Plan but based on the realities today in Springfield, it makes sense. Appreciate a favorable roll call.

PRESIDENT:

Question is the adoption of Amendment No. 1 to House Bill 2846. Those in favor of the amendment 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 29 Ayes, 28 Nays, none voting Present. Amendment No. 1 is adopted. Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

Verification.

PRESIDENT:

All right. Senator Berman has requested a verification. Will the members please be in their seats. Madam Secretary, please read the affirmative roll call.

SECRETARY:

Barkhausen, Davidson, DeAngelis, Donahue, Dudycz, Ralph Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hawkinson, Hudson, Jerome Joyce, Karpel, Keats, Kustra, Macdonald, Madigan, Mahar, Maitland, Philip, Raica, Rigney, Schaffer, Schuneman, Topinka, Watson, Weaver and Woodyard.

PRESIDENT:

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

SENATOR BERMAN:

Am I in order if I question the minority leader?

PRESIDENT:

You are not.

SENATOR BERMAN:

Oh, I'm...I'm not.

PRESIDENT:

Correct.

SENATOR BERMAN:

I should not challenge.

PRESIDENT:

We should not do that...

SENATOR BERMAN:

Oh, okay.

PRESIDENT:

...as a matter of courtesy...

SENATOR BERMAN:

...that's why...that's why I asked. Certainly want...wouldn't want to do anything that was improper.

PRESIDENT:

...not a question of impropriety.

SENATOR BERMAN:

...or...or discourteous.

PRESIDENT:

Yeah, right.

SENATOR BERMAN:

That's right.

PRESIDENT:

That's better than...impropriety.

SENATOR BERMAN:

No, I have no questions.

PRESIDENT:

All right, the roll has been verified. There are 29 Ayes, 28 Nays, none voting Present. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right, ladies and gentlemen, would there...will...if...if you'll just inform the Secretary or the Assistant Secretary of additional opportunities for recall, we would appreciate it. There will be another recall

HB 63  
2nd Reading

list tomorrow and we will, again, get to that order. So, those of you who have amendments or...please bring them forward and we'll get to them tomorrow. In the meantime, we'll move to page 47 on the Calendar. Page 47 on the Calendar, on the Order of House Bills 2nd Reading. We'll go through House bills 2nd reading with the exception of the appropriation bills which will be handled tomorrow morning, and then if time permits, we will move, obviously, to the main event. House Bill 63, Senator Dunn. On the Order of House Bills 2nd Reading, Madam Secretary. On the bottom of page 47 is House Bill 63. Read the bill, please.

SECRETARY:

House Bill 63.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Dunn on Committee Amendment No. 1.

SENATOR TOM DUNN:

Thank you, Mr. President. Committee Amendment No. 1 would reduce the population figure from six hundred thousand to three hundred thousand.

PRESIDENT:

All right, Senator Dunn has moved the adoption of Committee Amendment No. 1 to House Bill 63. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Fawell offers Amendment No. 2.

PRESIDENT:

Senator Fawell on Amendment No. 2.

SENATOR FAWELL:

Thank you,...thank you, very much, Mr. President. This bill, for the edification of my colleagues, is to require that certain counties, mainly Lake, DuPage and Will, all be asked to think about the idea of substituting a medical examiner for...for our coroners. Since my colleague seems to think that that's such a good idea, this amendment basically adds a few more counties, namely, Kane, St. Clair, Madison and Rock Island. I would ask for support for this amendment and if there's any questions, I'd be glad to answer them.

PRESIDENT:

All right, Senator Fawell has moved the adoption of Amendment No. 2. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I don't know if anybody on this side knows what we're doing here, but this amendment abolishes the Office of Coroner in Madison, St. Clair and Rock Island Counties. So,...so, everybody understands that. Thank you.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Dunn, I'm sure you're not abolishing my coroner. I just have...rise to that, so, therefore...that...is that right?

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

Senator Hall, that's not my amendment, so you'd have to direct your question to Senator Fawell.

PRESIDENT:

All right, Senator Hall, before you direct that question, WCIA-TV has requested permission to shoot some videotape.

With leave of the Body, permission is granted. Senator Hall.

SENATOR HALL:

Well, I rise in strong opposition to this and I hope that every red light gets on this board, and I'm sure that I have some others who are going to join me. Thank you.

PRESIDENT:

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Bev, this is Senator Sam. Day before yesterday you petrified me when you amended me to be the state fossil. Now, you're getting rid of the coroner in my county. Who's going to take care of me? I oppose this amendment strongly also.

PRESIDENT:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I also stand in opposition to this amendment. No one asked me if our coroner's position wanted to be abolished. I feel that he's doing a good job, even though he just resigned, we have a new one coming and he'll continue to do a good job, and I urge opposition to this amendment.

PRESIDENT:

Further discussion? Senator Fawell may close...oh, I beg your pardon, Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I don't like this amendment. I don't like the bill. We have no business doing anything about the counties' coroners, let the counties decide themselves.

PRESIDENT:

Further discussion? Senator Karpiel.

SENATOR KARPIEL:

Well, I...thank you, Mr. President. I happen to agree

with Senator Geo-Karis, but if we're going to be going...messing around with other...other counties' coroners without asking or talking to any of the legislators or the county people in those counties, you know, let's put us all in; I mean, if it's good for one, it's good for us all. I...I think we ought to put this amendment on and then defeat the whole bill.

PRESIDENT:

Further discussion? Any further discussion? Senator Fawell, you wish to close?

SENATOR FAWELL:

Thank you, very much, Mr. President. You know, I think what my colleague, Senator Karpiel, said is...is very true. If, indeed, the...my colleague on the other side of the aisle, the sponsor of this bill, seems to think that, indeed, that the Republican coroners of Will, Kane and DuPage should be eliminated, I...and...and he is serious about this, he is truly...I mean, DuPage, Will and Lake, I'm sorry, he is truly serious about this, then I...I'm sure...certainly we should have at least his vote and...and I'm sure he could convince a couple of others to take in Kane, Sinclair, Madison and Rock Island. I mean, you know, what's good for the goose is good for the gander and you do seem to feel, Senator Dunn, that this is extremely important that my county...my county's coroner who, frankly, was elected by our people, who nobody seems to be objecting to in my county should be eliminated...I...I'm sure that you wouldn't mind if these other coroners too would be awarded the same privilege.

PRESIDENT:

Question is the adoption of Amendment No. 2 to House Bill 63. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. 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 27 Ayes, 27



Nays, none voting Present. Amendment No. 2 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading, bottom of page 47, is House Bill 73. Read the bill, Madam Secretary.

SECRETARY:

House Bill 73.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 48. 180, Senator Holmberg. On the Order of House Bills 2nd Reading is House Bill 180. Read the bill, Madam Secretary.

SECRETARY:

House Bill 180.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Holmberg offers Amendment No. 1.

PRESIDENT:

Senator Holmberg on Amendment No. 1.

SENATOR HOLMBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a provision that we have agreed with the House that we would add basically incorporating...some of the

best provisions of the various college savings plans that are moving...through the Legislature and it creates the Illinois College Savings Plan Advisory Board and provides for Illinois College Savings Bonds, both provisions of which you have already seen. The main addition to the savings bond plan is that it creates an advisory board of nine members and gives them certain responsibilities to continue to investigate and to plan for the future of how parents may save for their children.

PRESIDENT:

All right, Senator Holmberg has moved the adoption of Amendment No. 1 to House Bill 180. Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT:

Indicates she will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, does this...I've been getting correspondence from some of my colleges and universities opposed to a so-called Michigan Trust. Does this have this in it?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

No, Senator, this does not have the trust program in it. We took that out.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDENT:

Indicates she'll yield, Senator Welch.

SENATOR WELCH:

Senator Holmberg, does this contain a tax break for anybody who contributes to the tuition tax credit plan, the tuition plan that you proposed in this bill?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

This provision, as was true in the College Savings Bond Program that we passed out of the Senate, would have a tax deferral on the interest, both Federal and state, as is available on zero coupon bonds right now. The main break that it includes is the fact that you would not have to figure what you had set aside into the needs assessment for either college scholarships or anything else under the Illinois State Scholar Program.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Is this amendment then similar to your bill that we passed out or is it more like Representative Satterthwaite's bill that we killed in the Higher Education Committee?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

It basically includes what we would consider the...the best of the various plans. It does not include the trust program which has been highly objected to, but it does set up an advisory board that could from time to time give input, upgrade the program, change dollar amounts...meet the needs of the times.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Senator Holmberg, your answer to Senator Welch says that it's the best and meets the times, but as you explained that

amendment, it certainly seemed identical to the bill that was killed in Higher Education and it seems like to me you're attempting by amendment to put onto a bill that which we passed out...this first bill on the Agreed Bill List 'cause it was a good amendment and a good change and now you're trying to put on by amendment a bill that was defeated in committee after a fairly extensive hearing, and I rise in objection to this amendment because on both sides of the aisle we have normally not tried to amend into a bill that had no controversy a bill that was killed in committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR HOLMBERG:

Just...further clarification. Senator Davidson, this does not...it's not the trust plan, it's...it's not the Michigan plan. It basically is the College Savings Bond Plan with an advisory board...in addition, that can oversee to see that we're doing it right, can add to it as we...we move along. It has...and it's incorporating the best ideas as suggested to us by the universities and by the private colleges. It is a good version of the plan and I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All those in favor...Senator Holmberg moves the adoption of Amendment No. 1 to House Bill 180. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No...Senator Davidson seeks a roll call. On that question...on the adoption of Amendment No. 1 to...House Bill 180, Senator Davidson seeks a roll call. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On the adoption of Amendment No. 1 there are 33 Yeas, 18...19 Nays, none voting Present. Amendment No. 1 having...received the majority vote is declared adopted.

HB 213  
2nd Reading

Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 213, Senator D'Arco. Read the bill, Madam Secretary.

SECRETARY:

House Bill 213 was read for a second time on 6-17-87.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Yesterday, we adopted Amendment No. 1 which was the committee amendment to House Bill 213 which established the administrative review procedure for parking ticket violations. We should be on Amendment No. 2, Mr. President. Thank you. Amendment No. 2 provides a procedure whereby nonresidents can challenge parking ticket violations without...without attending a hearing. It is offered to meet the concerns of some downstate legislators who...at various times their vehicles have been ticketed or allegedly ticketed for violations when, in fact, they have not and this would answer those concerns. The municipality would establish the procedure, and I would move to adopt Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I have a question for the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DUDYCZ:

Senator D'Arco, as I read Floor Amendment No. 2, it appears to me to be a very loosely written amendment. The

way I understand it, suburbanites or a downstater may come...or may challenge a violation or an alleged violation without attending a hearing, whereby a resident of the municipality...are you there...the resident of the municipality would be forced to attend the hearing and it says here in the amendment that the procedures by which the persons who are not residents of the municipality may contest the merits of the alleged violation without attending the hearing. I'd like to know what type of procedures would be set that's not spelled out in the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well, they would be established by the local municipality. Obviously, you know, you can't...you can't put detailed procedures like that in a state law in this type of a...bill. The procedures are there...will be created so that a downstater can call a hearing officer and indicate to him that he has received a notice of violation when, in fact, his vehicle wasn't in the municipality's area at the time of the alleged violation and there must be a...a wrong number issued by a police officer or some other mistake made on the part of the person issuing the ticket and he can then...the hearing officer can go through a verification procedure to determine if what that person is telling him is true or not and then he can void the ticket where applicable so that the person does not have to appear within the boundaries of the municipality. It's a timesaving procedure. It's...it is a...it's beneficial for all parties concerned.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Well, Senator, what about due process...now you're...you're saying that not counting the occasional mis-

take of a...of a ticket, hypothetically, what if somebody does have...ten violations...ten tickets and he's from the suburbs and he attempts to resolve this matter through a...a phone call and he loses. Now doesn't...isn't there a requirement that the Secretary of State is to suspend the license of person who has been certified by a...municipality as having failed to pay a parking fine or a penalty for ten or more violations? And why is this exclusive to a downstate or suburbs...or the suburbs and does not apply to city residents? I mean, where...where is the equal protection here?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

I think we're losing the audience, Dudycz, maybe we should speed this up a little bit. No, but...was that a question? Oh, that was a question. Yeah. What was the question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Well, you're right, I lost you, so I must have lost my audience, Senator, but my question was, not counting the occasional parking ticket of an individual...where their mistake is made, what if a downstater has ten parking tickets and he attempts to adjudicate the problem administratively by a phone call and the hearing officer says that he was wrong and the Secretary of State takes away his driver's license, where is due process there; and the other part of my question is, how come this applies strictly for the downstaters and the suburbanites and does not give equal protection to or equal...afford equal opportunity for the city dweller?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well, you really did lose me, but let me answer your question. The second part of your question, it's...the person in the municipality can go into a...a place of business of the municipality and have that problem adjudicated, so he doesn't...you know, he doesn't need a procedure where he has to phone in from somewhere a hundred or two hundred or three hundred miles away because he lives far away from whatever municipality gave him the parking ticket. This is to accommodate somebody who lives in an area that's far from the municipality where the ticket is issued. Now, what that has to do with due process, I can't tell you. It...in fact, I think it enhances the due process procedure by allowing the person to call in and say to the hearing officer, you issued the ticket to the wrong person, I am not that person and whether the police officer issued a wrong number or the number that was issued is not correct, I am not the person that should have been ticketed for this particular violation. The hearing officer can verify that fact at that point. Your other question about receiving ten tickets and the Secretary of State suspending his license, the bill provides for five notices at different times to be sent to the individual so...so that his due process procedural rights are not violated. That's the whole point of the bill. And if your handlers would stop talking to you for a minute and trying to give you information and you would listen, maybe I can tell you what...what you want to know. There is a hearing mechanism in the Secretary of State's Office for the violations that occur under the bill, so if a person goes in there, he can show the Secretary of State that, in fact, he did not receive these...these ten tickets and his license should not be suspended.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:



Well, Mr. President and ladies and gentlemen,...I believe this is a bad amendment. I think it is very loosely written and I urge its defeat.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Hall. If there's no further discussion, Senator D'Arco may close.

SENATOR D'ARCO:

I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the adoption of Amendment No. 2 to House Bill 213, those in favor indicate by saying Aye...those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments? Senator Dudycz. All right,...for what purpose do you arise? Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 3, by Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Amendment No. 3 is a technical amendment and I would ask to adopt Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator D'Arco moves adoption of Amendment No. 3 to House Bill 213. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 4, by Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you...Amendment No. 4, Mr. President, provides that the hearing officers must be attorneys and it also provides that the chief legal officer of a municipality would make the

appointments of these hearing officers. Now, there's a following amendment...Senator Geo-Karis has an amendment, Amendment No. 6, and I'm going to accept that amendment, and what that amendment says is that the mayor of the municipality with the advice and consent of city council shall make the appointment of these hearing officers. So that amendment...will amend Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President,...let's have his amendment pass because mine has to be amending his...yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I just want to have everyone think for a moment. The whole point of this administrative system that Senator D'Arco is setting up...and it's a decent bill, I...you know, I'm not knocking the bill, I think it's a good idea, but what we're trying to avoid is the court system, what we're trying to avoid is all these lawyers in the court...in the traffic court. Now, what we're saying is, you got to use lawyers, you have to have the hearing officer be a lawyer. Now the strongest labor union in America is the American Bar Association and the strongest labor union in Illinois is the Illinois State Bar Association...well, maybe the Trial Lawyer's Association. Yeah, I take it back, Illinois Trial Lawyer's Association is more powerful than the Bar. What this amendment says is we're trying to set up an administrative procedure where common sense will prevail. Do you really think having...hearing officers who have to be lawyers are going to let common sense interfere? The point of this is...good idea, administrative hearing, simplify the process, why do you have

to include lawyers? Why don't we let the mayor or the council whoever he wants to do...corporation counsel, appoint it with the confirmation of the council or however they want to do it, but why does he have to be a lawyer to decide whether you were there for your traffic ticket? Will you tell me what a lawyer needs to know that a common-sensical individual would not know in terms of a non-lawyer oriented court? This is an administrative action, this is not litigation; it is an administrative action, why do we need a lawyer? I would appreciate a No vote on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Well, Senator Keats, I...for once, I think I agree with him, but...now are you also putting in...the pay scale in here, Senator D'Arco?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Now, I don't want you guys to get the wrong idea about this amendment here. Now this...no,...no, there's no pay scale in this...in this amendment or in this bill...hopefully, Senator Keats and Senator Savickas,...you know, I...I don't know if you saw the President nodding yes when Senator Keats was talking, but...he also agrees with you. Why we need lawyers is because it is an adjudicatory proceeding and there are substantive and procedural rights that the...the person who is before the hearing officer has a right to have determined and you just can't have anybody determining those rights. He must have some knowledge of the law. There will not be a corporation counsel present during these proceedings. There will not even be a police officer present during these proceedings, so somebody has got to be there that knows the law and that's why we put the provision

in there about lawyers.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, I...I think this probably Senator D'Arco's annual full employment bill for attorneys with the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Putting the lawyer issue aside and...at the bottom of the amendment, Senator, I'd just like to know why you're providing a toll free telephone number only for the City of Chicago? Now, we're getting back to the people from downstate where they want to talk to the hearing officer in the City of Chicago, they can call him toll free, but if a...citizen in the City of Chicago receives a parking violation in Peoria, for example, they must pay the long distance call. Why is there discrepancy there?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well, to be honest with you, I...I don't have a problem, you know, with changing that in the House. If you...if you want a toll free number for every municipality in the State of Illinois, that's fine with me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

In other words, you would ask the...you would agree to ask the sponsor to place a...an amendment to that effect?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR D'ARCO:

Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All those in favor...Senator D'Arco moves to adopt Amendment No. 4 to House Bill 213. Those in favor indicate by saying Aye. Those opposed. The Nays have it. Amendment No. 4...No. 4 loses...Senator D'Arco requests a roll call on Amendment No. 4. All those in favor will...of its adoption will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 28. Senator D'Arco.

SENATOR D'ARCO:

Verification.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco requests a verification of the negative vote. Will all the members please be in their seats. Mr. Secretary, will you please call the negative roll call.

ACTING SECRETARY: (MR. HARRY)

The following voted in the negative: Barkhausen, Brookins, Davidson, DeAngelis, Donahue, Dudycz, Ralph Dunn, Etheredge, Fawell, Friedland, Hawkinson, Hudson, Karpel, Keats, Kustra, Lechowicz, Macdonald, Madigan, Mahar, Maitland, Raica, Rigney, Schaffer, Schuneman, Topinka, Watson, Weaver and Woodyard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco, do you question any of the negative vote?

SENATOR D'ARCO:

Senator Dudycz here?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He's...he's sitting in his seat.

SENATOR D'ARCO:

You're kidding. How about Brookins? Is he here?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Brookins. Senator Brookins. Senator Brookins.  
Strike his name from the record.

SENATOR D'ARCO:

That's it...Watson. Wait, Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson. He's...Senator Watson, yes, he's...on  
the back of the Chamber.

SENATOR D'ARCO:

That's fine.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary,...there are 27 Nays and 28 Yeas...for what  
purpose Mr. Keats...Senator Keats arise?

SENATOR KEATS:

A verification.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We just had one, Senator. Which side do you want to  
verify, Senator?

SENATOR KEATS:

I'd like to verify the affirmatives.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats seeks to verify the affirmative vote. Will  
all the members please be in their seats. Mr. Secretary,  
would you please call the affirmative vote.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Alexander,  
Berman, Carroll, Collins, D'Arco, del Valle, Demuzio, Thomas  
Dunn, Geo-Karis, Hall, Holmberg, Jacobs, Jones, Jerome Joyce,  
Kelly, Luft, Marovitz, Netsch, Newhouse, O'Daniel, Poshard,  
Savickas, Severns, Smith, Vadalabene, Welch, Zito, Mr. Presi-

dent.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats, do you question any of the affirmative votes?

SENATOR KEATS:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz. Senator Marovitz on the Floor? Yes, he is, he's in the corner.

SENATOR KEATS:

Senator Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch. Senator Netsch. She's in the back.

SENATOR KEATS:

Senator Luft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft. He's in his seat.

SENATOR KEATS:

...oh, he just returned. Senator Collins.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins. In the back.

SENATOR KEATS:

Geo.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Geo what?

SENATOR KEATS:

Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis on the Floor? Senator Geo-Karis. Strike her name. Senator Keats, do you...any further questions? Mr. Secretary,...on a verified roll on the adoption of Amendment No. 4, there are 27 Yeas and 27 Nays. The amendment having failed to receive a majority vote is declared lost. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 5, by Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. When there was a fiscal note filed on this bill to administer to Secretary of State, the cost to the Secretary of State's Office for the whole State of Illinois would have been up around...between five and six hundred thousand dollars and what this amendment says is that the municipality must reimburse the Secretary of State for the cost of the program. I would ask to adopt Amendment No. 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator D'Arco moves the adoption of Amendment No. 5 to House Bill 213. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 6 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis. She's not on the Floor. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator, we just moved it to 3rd reading. Senator Geo-Karis.

SENATOR GEO-KARIS:

I was on a long distance call, believe it or not, and I wonder if my colleague would let me bring it back for the amendment which I think is a better amendment and he's agreed is a better amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)



Senator D'Arco.

SENATOR D'ARCO:

You know what? I'm going to tell you something. I wouldn't do that to you. If there was a colleague in this Chamber, I wouldn't verify them off because they were making a long distance phone call and I think that's unfair of the other side.

PRESIDING OFFICER: (SENATOR SAVICKAS)

House Bill 262, Senator Hawkinson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 262.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Well, Senator Degnan is not here and he is the sponsor. I mean, why are we on this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, I'm sorry, it's Degnan-Hawkinson and I...I read Senator Hawkinson's name. Take it out of the record. Senate Bill...or House Bill 274, Senator Berman-Smith. House Bill 275, Senator...would you...I've got amendment on this one, it's a technical amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, House Bill 275. House Bill 275.

ACTING SECRETARY: (MR. HARRY)

House Bill 275.

(Secretary reads title of bill)

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

HB 295  
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, this amendment would bring this bill, House Bill 275, into identical situation with Senate Bill 948 which was Senator Jones' and passed the Senate, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas has moved the adoption of Committee Amendment No. 1 to House Bill 275. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 295, Senator Marovitz. On the Order of House Bills 2nd Reading is House Bill 295, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 295.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 308, Senator Carroll. 319, Senator Maitland. House bills 2nd reading is House Bill 319,

Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 319.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. This amendment brings the Chicago school system under the rules of the State Board of Education regarding equal access to athletic programs. The Educational Reform Act authorized the State Board to promulgate rules for...with...with respect to this issue for all schools, and for whatever reason, Chicago was left out. It's agreed to by...by everyone and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Maitland moves the adoption of Amendment No. 1 to House Bill 319. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 is a codification of current practice. It authorizes the State Board of Education to contract for the operation of the Deaf-Blind Center. They are charged

HB 332  
2nd Reading

with the responsibility of the development and operation of that center and this would afford them the opportunity to contract for its obligation...I mean, it's operation. I know of no objection and I would move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rock moves the adoption of Amendment No. 2 to House Bill 319. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 332, Senator Poshard. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 332.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senators Hudson and Philip.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It became apparent in committee when this bill was heard that there was considerable confusion as to where Federal jurisdiction entered in and then...as opposed to state jurisdiction, in this particular successor clause bill. So, Amendment No. 1 simply clarifies the relationship between State and Federal Statutes. It provides that the Act shall not apply to any transaction or conduct which is protected or

prohibited by Federal law and some of us feel that it's very important to...to have this clarified and make it part of the...of the bill if the bill...indeed, is going to pass so that there's a clear understanding that Federal law does enter into this and we believe would preempt...possibly preempt...have a preemptive effect.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...is there discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. With all due respect to my esteemed colleague, Senator Hudson, I rise in strong opposition to this amendment. The amendment really does not do anything. The amendment excludes any transactions or conduct prohibited or protected by the Federal law from the provisions of this Act and we won't know if they...there are any transactions in this Act that are prohibited or protected by Federal law until someone decides to challenge the Act or the provisions of it, in which case the court will then decide, the amendment really has no effect whatsoever. The court will either uphold the Act or it'll throw it out if someone decides to challenge the provisions of this Act, and that's for the court to decide. This amendment really does nothing to the Act.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. The previous speaker was absolutely correct. House Bill 332 is not preempted by Federal law. Under Section 301 of the National Labor Relations Act, disputes concerning whether a valid collective bargaining is in force are to be decided by the Federal court, not by the National Labor Relations Board. Federal court will use the state rules of contract formation and interpretation to determine whether there is a valid agreement. For that

reason, this amendment is totally uncalled for and I recommend a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I, too, rise in strong opposition to Amendment No. 1, and I would just urge the members to really take a long, hard look at this amendment because what we are doing by this amendment is literally abdicating our responsibility as...as state policymakers and saying, we'll let the Federal Government take care of it. That's totally backwards to what we should be about.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR HUDSON:

Well, thank you, Mr. President. I, of course, rise in strong affirmation and support of the amendment and also in strong disagreement with my esteemed colleagues on the other side. Now, there is case law to show...the argument seems to be whether the Federal Government has any...any preemptive effect or result or connotation here at all and it clearly does. Now, I, too, am reading from...a statement here...referring to Federal law; likewise, under Section 301 of the Taft-Hartley amendments, "Federal law alone controls the interpretation and enforcement of labor union contracts," which would, obviously, include any successor clause which such contracts may contain, and our contention is that Federal law does enter into this case and it should be clearly stated, that should be understood. If we're going to pass this...this...that I think is an ill-advised Statute to begin with, it should be clearly understand that it probably will be challenged, probably will be held...unconstitutional and is...preempted by Federal Statutes and that should be

clearly noted and understood and we're...we're simply trying to clarify the situation at the outset, and I would urge passage of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson moves the adoption of Amendment No. 1 to House Bill 332. Those in favor indicate by saying Aye. Those opposed. The Nays carry. Amendment No. 1 is defeated. Senator Hudson.

SENATOR HUDSON:

Roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson seeks a roll call...requests a roll call on the adoption of Amendment No. 1 to House Bill 332. Those in favor of its adoption will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the...the Nays are 35, the Yeas are 11, none voting Present. Amendment No. 1 having failed to receive a majority vote is declared lost. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 345, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 345.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 49, on the Order of House Bills

2nd Reading, Senator Maitland. Senator Maitland, top of page 49. On the Order of House Bills 2nd Reading is House Bill 393. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 393.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Energy and Environment offers one amendment.

PRESIDENT:

Senator Maitland on Committee Amendment No. 1.

SENATOR MAITLAND:

Thank you, very much, Mr. President. When...when this bill was introduced it had on it a four-year sunset. Because so much of the time has expired since this program was supposed to have been started, DCCA feels strongly that the timeframe ought to be taken off so that they can...can and will be able to accommodate the needs of all those homes that need to be weatherized. I know of no opposition and I would move for its adoption.

PRESIDENT:

Senator Maitland has moved the adoption of Amendment No. 1 to House Bill 393. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 422, Senator O'Daniel. On the Order of House Bills 2nd Reading is House Bill 422. Read the bill.

ACTING SECRETARY: (MR. HARRY)



House Bill 422.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 461, Senator Demuzio. On the Order of House Bills 2nd Reading is House Bill 461. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 461.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 475, Senator Zito. On the Order of House Bills 2nd Reading is House Bill 475.

ACTING SECRETARY: (MR. HARRY)

House Bill 475.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 479, Senator Luft. On the Order of House Bills 2nd Reading, House Bill 479. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 479.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Luft on Committee Amendment No. 1.

SENATOR LUFT:

Thank you, Mr. President. Committee Amendment No. 1 is technical in nature. It adds the word "qualifying" in respect to those public safety and law enforcement personnel who may apply for confidential plates. I'd move for the adoption of the amendment.

PRESIDENT:

Senator Luft has moved the adoption of Amendment No. 1 to House Bill 478. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Wait, we got 478 on the board. It should be 479 we're on, right? We...it was my fault. We skipped 478. We'll get right back to it. Senator Luft has moved the adoption of Amendment No. 1 to House Bill 479. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. Now, 478. Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 478.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Smith on Committee Amendment No. 1.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Amendment No. 1 on House Bill 478 merely makes the bill pertain to a protected payee arrangement for AFDC cases permissive rather than mandatory, and this amendment to the House bill was recommended by Department of Public Aid. I move its adoption.

PRESIDENT:

All right, Senator Smith has moved the adoption of Amendment No. 1 to House Bill 478. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. Senator Smith on 494. On the Order of House Bills 2nd Reading, the bottom of page 49, is House Bill 494. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 494.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 50. Senator Demuzio, 513. On the Order of House Bills 2nd...okay, take it out of the record. 549, Senator Marovitz. 566, Senator Savickas. On the Order of House Bills 2nd Reading is House Bill 566. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 566.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 579, Senator Dunn. On the Order of House Bills 2nd Reading is House Bill 579. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 579.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 696, Senator Zito. On the Order of House Bills 2nd Reading, the middle of page 50, is House Bill 696. Read the bill.

PRESIDENT:

House Bill 696.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 703, Senator Joyce. On the Order of House Bills 2nd Reading is House Bill 703. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 703.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

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

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This gives custody of the Agricultural Loan Guarantee Fund, the Agribusiness Loan Guarantee Fund and the Agribusiness Venture Investment Fund to the State Treasurer rather than to the treasurer of the authority. This is consistent with the Agriculture and Agribusiness Loan Guarantee Funds that are currently in the...State Treasurer's custody. I'd ask for approval.

PRESIDENT:

All right, Senator Joyce has moved the adoption of Amendment No. 1 to House Bill 703. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. 705, Senator Joyce. On the Order of House Bills...no, hold it. 708, Senator Demuzio. On the Order of House Bills 2nd Reading is House Bill 708. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 708.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio on Amendment No. 1.

SENATOR DEMUZIO:

It's simply a...an amendment that corrects some drafting errors. There are no substantive changes whatsoever. I move adoption.

PRESIDENT:

Senator Demuzio has moved the adoption of Amendment No. 1 to House Bill 708. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. 717, Senator Joyce. On the Order of House Bills 2nd Reading is House Bill 717. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 717.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

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

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This requires...local siting approval for facilities for low-level...radioactive waste are disposed of. This is the most necessary of the things that we need to be...that need to be regulated in the Radioactive Waste Management Act. So, I'd move for its adoption.

PRESIDENT:

Senator Joyce has moved the adoption of Amendment No. 1 to House Bill 717. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. 718, Senator Joyce. On the Order of House Bills 2nd Reading is House Bill 718. Read the bill, Mr. Secretary.

END OF REEL

*HB 748  
2nd Reading*

REEL #4

ACTING SECRETARY: (MR. HARRY)

House Bill 718.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 51, Senator Marovitz. Senator Jacobs. On the Order of House Bills 2nd Reading, top of page 51, is House Bill 748. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 748.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. Bottom of page 53, Senator Poshard on 810. Senator Dunn on 814. Bottom of page 53, on the Order of House Bills 2nd Reading is House Bill 814. Read the bill, Mr. Secretary, 8-1-4.

ACTING SECRETARY: (MR. HARRY)

House Bill 814.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:



Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 54, Senator Kustra, 840. On the Order of House Bills 2nd Reading is House Bill 840. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 840.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 854, Senator Kustra. On the Order of House Bills 2nd Reading is House Bill 854, read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 854.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. Senator Maitland, 857. On the Order of House Bills 2nd Reading is House Bill 857. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 857.

(Secretary reads title of bill)

AB 887  
2nd Reading

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

PRESIDENT:

Senator Maitland on Committee Amendment No. 1.

SENATOR MAITLAND:

I apologize, Mr. President. This provides that...that...it puts in a front-door referendum and I apologize.

PRESIDENT:

All right. Senator Maitland...

SENATOR MAITLAND:

...I move for the adoption.

PRESIDENT:

...Senator Maitland has moved the adoption of Committee Amendment No. 1 to House Bill 857. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 859, Senator Carroll. 866, Senator Marovitz. 887, Senator Savickas. On the Order of House Bills 2nd Reading is House Bill 8-8-7, read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 887.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

MB 934  
2nd Reading

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 919, Senator Woodyard. On the Order of House Bills 2nd Reading is House Bill 919. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 919.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. Senator Joyce, 932. Senator Berman, 934. On the Order of House Bills 2nd Reading is House Bill 934, read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 934.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 strikes the enacting clause and reenacts the bill in a slightly different fashion. It's an amendment that was worked out with the Illinois State Medical Society, it still does the original purpose of the bill which

is to require the providing of a pamphlet that will be published by the Department of Public Health as alternatives to medical...radical mastectomies. I move the adoption of Amendment No. 1.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 1 to House Bill 934. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. 942, Senator Luft. 971, Senator Savickas. On the Order of House Bills 2nd Reading is House Bill 971. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 971.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Savickas on Committee Amendment No. 1.

SENATOR SAVICKAS:

Yeah, let me check the numbers. I guess...is this SDS85H971? All right. This was the committee amendment and this would ensure that the...definition of chronic truant as already defined in the School Code, and it's okay with the parties that were concerned...that were concerned about the bill. It would use a...that definition that's already defined in the School Code.

PRESIDENT:

All right. Senator Savickas has moved the adoption of Committee Amendment No. 1 to House Bill 971. Discussion? If not, all in favor indicate by saying Aye. All opposed. The

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

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Savickas.

PRESIDENT:

Senator Savickas on Amendment No. 2.

ACTING SECRETARY: (MR. HARRY)

Yes, this...amendment would clarify that supervision and investigation should not be done by probation departments, and this is a money issue, and it's...who will do it would be the truancy alternate programs under the State Board of Ed. would be responsible. I would move its adoption.

PRESIDENT:

Senator Savickas has moved the adoption of Amendment No. 2 to House Bill 971. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 3 offered by Senator Savickas.

PRESIDENT:

Senator Savickas on Amendment No. 3.

SENATOR SAVICKAS:

Well, my...well, I may be wrong, but this amendment that I'm reading reads chronic truant shall have the...definition...ascribed to it in the Section 26-2A of the School Code, and I thought we did that in the committee amendment...the committee amendment took out duplicative sections. This is...this one would put that...chronic truant shall have the definition ascribed to it in Section 26-2A of the School Code.

PRESIDENT:

All right. Senator Savickas has moved the adoption of Amendment No. 3 to House Bill 971. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. 989, Senator Savickas. On the Order of House Bills 2nd Reading is House Bill 989. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill...989.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Savickas on Committee Amendment 1.

SENATOR SAVICKAS:

Yes, Committee Amendment No. 1 is a technical amendment and basically this bill will be sent back over to the House and hopefully when they resolve their RTA and CTA concerns, if they do, this will probably be a vehicle that they will use to address that problem and I would move its adoption.

PRESIDENT:

Senator Savickas has moved the adoption of Amendment No. 1...Committee Amendment No. 1 to House Bill 989. Discussion?  
Senator Watson.

SENATOR WATSON:

Yes, sir, thank you, Mr. President. Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Watson.

SENATOR WATSON:

I believe today is June 18th, and if I recall in the last

committee, the RTA said they were going to have their program here on our desk on the 18th of June. I haven't seen that as yet, Senator, where's yours? Have you...

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

My state chairman indicated that the day isn't over, that I've got till midnight tonight, the bewitching hour.

PRESIDENT:

All right. Senator Savickas has moved the adoption of Committee Amendment No. 1 to House Bill 989. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 55, on the Order of House Bills 2nd Reading is House Bill 1002. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1002.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading.

PRESIDING OFFICER: (SENATOR LUFT)

(Machine cutoff)...Order of 2nd Reading is House Bill 1015, Senator Madigan. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1015.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the Order of 2nd Reading is House Bill 1018, Senator Kustra. Senator Kustra, House Bill 1018? Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1018.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the Order of House Bills 2nd Reading is House Bill 1023, Senator Savickas. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1023.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LUFT)

Senator Savickas.

SENATOR SAVICKAS:



Yes, Mr. President and members, the amendment offered by the Committee would remove the...what became the most controversial part of the bill and that was the increase in the tax levy, and I would move its adoption.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Savickas moves for the adoption of Amendment No. 1 to House Bill 1023. Any discussion? If not, all those in favor say Aye. All those opposed Nay. The Ayes have it and the amendment is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the Order of 2nd Reading is House Bill 1035, Senator Marovitz. Senator Marovitz on the Floor? On the Order of 2nd Reading is House Bill 1038, Senator Poshard. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1038.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. Mr. President, Amendment 1...in the 708 Act, the Community Mental Health Act written back in 1963, there's a provision that allows counties and

townships pursuant to a successful front-door referendum to authorize the sale of bonds for the purposes of making permanent improvements in local facilities for the mentally ill or the developmentally disabled. The 1963 Statute goes on to state that the interest on these bonds should not exceed five percent. This absolute provision not allowing the bonds to exceed five percent prevents the utilization of this opportunity. The communities just can't sell...or the boards just can't sell these bonds at five percent. This amendment would delete this figure and, in effect, leave the rate of the bonds up to...to the open marketplace.

PRESIDING OFFICER: (SENATOR LUFT)

All right. Senator Poshard moves for the adoption of Amendment No. 1 to House Bill 1038. Is there any discussion? If not, all those...in favor signify by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 1 to House Bill 1038 is adopted. Any further Floor amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2, by Senator Poshard.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Poshard on Amendment No. 2.

SENATOR POSHARD:

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

PRESIDING OFFICER: (SENATOR LUFT)

Senator Poshard has asked leave to withdraw Amendment No. 2 to House Bill 1038. Is leave granted? Leave is granted. Any further Floor amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the Order of 2nd Reading is House Bill 1041, Senator Jerome Joyce. Senator Joyce on the Floor? On the Order of 2nd Reading is House Bill 1055, Senator Netsch.

Senator Netsch. Please read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1055.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Energy and Environment offers one amendment.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The amendment that was adopted by the committee simply changes the definition of what is to be covered by the rules that will eventually be adopted with respect to toxic air pollutants. It was agreed to, by the way, by the environmentalists and the business groups.

PRESIDING OFFICER: (SENATOR LUFT)

All right. Senator Netsch moves for the adoption of Amendment No. 1 to House Bill 1055. Is there any discussion? If not, all those signify by saying Aye. All those opposed Nay. In the opinion of the Chair, the Ayes have it. Amendment No. 1 to House Bill 1055 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the Order of House Bills 2nd Reading is House Bill 1060, Senator Demuzio. 1060...read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1060.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Floor amendments?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the Order of 2nd Reading is House Bill 1063, Senator Rock. On the Order of House Bills 2nd Reading is House Bill 1064, Senator Rock. On the Order of House Bills 2nd Reading is House Bill 1068, Senator Demuzio. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1068.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Floor amendments?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the Order of House Bills 2nd Reading is...is House Bill 1072, Senator Jacobs. Read the bill, please, Mr. Secretary. 1072, sorry.

ACTING SECRETARY: (MR. HARRY)

House Bill 1072.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jacobs.

SENATOR JACOBS:

The first amendment to...to this requires certain local governments to base a selection of architectural engineering or land surveying services on qualifications as well as cost.

I know of no...no known opposition and urge its adoption.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jacobs moves for the adoption of Amendment No. 1 to House Bill 72. Is there any discussion? If not, all those in...in favor signify by saying Aye. All those opposed Nay. The Ayes have it and Amendment No. 1 to House Bill 1072 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Are there any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jacobs on Amendment No. 2.

SENATOR JACOBS:

No. 2 merely corrects a technical error made by the Legislative Reference Bureau and I ask for its adoption.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jacobs moves for the adoption of Amendment No. 2 to House Bill 1072. Is there any discussion? If not, all those in favor signify by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 2 to House Bill 1072 is adopted. Any further Floor amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 3, by Senator Jacobs.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jacobs.

SENATOR JACOBS:

This amendment clarifies that the board of a local taxing entity may create a reserve to pay the cost of the issuance of bonds issued for self-insurance purposes. It clarifies current law in relation to self-insurance intergovernmental contracts and it merely references the section dealing with

HB 1093  
2nd Reading

bonds with the same language contained in the other sections, and I ask for its approval.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jacobs moves for the adoption of Amendment No. 3 to House Bill 1072. Those in favor...I mean, is there any discussion? Those in favor signify by saying Aye. Those opposed Nay. The Ayes have it and Amendment No. 3 to House Bill 1072 is passed. Are there any...further Floor amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the top of page 56, on the Order of 2nd Reading is House Bill 1073, Senator Poshard. Read the bill, please, Mr. Secretary. 1093, I'm sorry.

ACTING SECRETARY: (MR. HARRY)

House Bill 1093.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Are there any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senators Poshard and Berman.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. Mr. President, Senator Berman worked very diligently with the Illinois Association of School Boards and the Principal's Association to work out an negotiated amendment here, and I'll defer to him for explanation of that amendment.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This amendment is a agreement that was worked out between the Principal's Association and the School Board Association and what it provides for is a...a written job description for the principals and assistant principals, a...an evaluation to be made of their performance every two years, a period of time for the principal or assistant principal who receives a unsatisfactory evaluation to address the problems of that evaluation and further provides that the Administrative Review Act will apply to any decisions of the school board regarding...reclassification of principals or assistant principals. Move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Berman moves for the adoption of Amendment No. 1 to House Bill 1093. Is there any discussion? If not, those all in favor signify by saying Aye. Those opposed Nay. The Ayes have it and Amendment No. 1 to House Bill 1093 is adopted. Any further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the Order of 2nd Reading is House Bill 1109, Senator Marovitz. Senator Marovitz on the Floor? On the Order of 2nd Reading is House Bill 1133, Senator Netsch. Senator Netsch, 1133? Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1133.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR LUFT)

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Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This is the Business Impact Note Act. The amendment does a couple of things. It removes the necessity to do the evaluation of locals...local tax and incentives. It changes slightly the membership of the committee to do it and it delays the effective date until January 1, 1989. The amendment was agreed to by the State Chamber and others who had initially proposed this. I would move the adoption of Amendment No. 1 to House Bill 1133.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Netsch moves for the adoption of Amendment No. 1 to House Bill 1133. Discussion? If not, those in favor signify by saying Aye. Those opposed Nay...the...the...Yeas have it and Amendment No. 1 to House Bill 1133 is adopted. Any further Floor amendments?

ACTING SECRETARY: (MR. HARRY)

No...further amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. With leave, we will return...back on the Order of 2nd Reading to House Bill 1109. Senator Marovitz was on the phone and I inadvertently skipped over him. So on the Order of 2nd Reading is House Bill 1109, Senator Marovitz. Please read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1109.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Floor amendments?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the Order of 2nd Reading is House Bill



1168, Senator Netsch. Senator Netsch on 1168. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1168.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the Order of 2nd Reading is House Bill 1229, Senator Marovitz. Please read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1229.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Are there any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Alexander.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Alexander on Amendment No. 1.

SENATOR ALEXANDER:

Thank you, Mr. President. Amendment No. 1 is the amendment that was presented in committee. It completely deletes the original bill and we were not permitted to file it in the committee but we presented it in words and figures and I promised him that I would file those words and figures before this Body. Amendment No. 1 is the bill and I move for its adoption.

PRESIDING OFFICER: (SENATOR LUFT)

Senator...Alexander moves for the adoption of Amendment No. 1 to House Bill 1229. Is there any discussion? Senator

Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is rather a lengthy amendment, Senator Alexander, could you explain the amendment a little more?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Alexander.

SENATOR ALEXANDER:

I...fresh your memory for those who...perhaps was not in the Financial Institute Committee. The question was raised by the committee relative to the cap of monies to be...used as a mortgage base is the one thousand dollars. In the amendment which is now the bill that cap has been reduced to...to eight hundred dollars. Questions was raised concerning the financial institutions who already had the counseling personnel on board. This amendment merely...or the bill merely keeps those persons in place. IHDA raised the question about who would develop the...the plans for notices and the counseling. This bill now relieves and keeps that power in IHDA. That is the bill as it is now.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? All right. Senator Alexander moves for the adoption of Amendment No. 1 to House Bill 1229. If there's no further discussion...if not, all those in favor signify by saying Aye. All those opposed Nay. The Ayes have it and Amendment No. 1 to House Bill 1229 is adopted. Any further Floor amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Schaffer.

SENATOR SCHAFFER:

Senator Carroll and I were just conveying...or discussing this amendment, I'm sure it's one that will have some

bipartisan support. As we all know, there's been a great deal of controversy and publicity about the Chicago Public Housing Authority. This creates the Public Housing Authority Emergency Management Act and places the housing authority under the direction of a five-member nonpaid commission appointed by the president of the Cook County Board. The new board would have oversight functions very similar to the board that we put over the Chicago school system a number of years ago in their time of trauma. I think that oversight board has served a good purpose. I think the same argument could be made for McCormick Place and I think that, obviously, for those of us who are exposed to Chicago media, we recognize the tremendous problems that the housing authority has. We did not particularly want to make this a partisan consideration and that's why we suggest that the appointment to be made by, I am told,...soon to be Democratic Cook County Chairman, county board chairman, George Dunn. I know of no opposition to...to the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Senator Rock.

SENATOR ROCK:

If...if there isn't, there ought to be. Okay? I rise in opposition, for one, to Amendment No. 2 and I would suggest...I...I hope that we would afford the city administration, the mayor in particular, the opportunity to make new appointments as he has done to that board and afford the board the opportunity to literally work their way out their financial difficulty. And to superimpose a super board at this point in time simply...we just really ought not do that. I think the...the financial difficulty of the Chicago Housing Authority is...obviously, is well publicized as...as anything in this day and age, but I think it's also recognized that the city administration is making an effort and that the new board is making an effort and I think the imposition of a

super board simply is...is a futile act and...and one that's totally unnecessary. So I would urge opposition to Amendment No. 2.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I simply rise to echo the remarks made by the President. I think he's absolutely on the money and I would recommend a No vote on this bill.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Alexander.

SENATOR ALEXANDER:

I merely want to close by saying that the remarks made by the previous two speakers are accurate and correct. There is in force and working a new board to amend the problems with the Department of HUD, the problems that exist with the CHA, and if this amendment would be put on to this bill, it would entirely gut the intent of the legislation to aid those persons who are losing their homes. And I will ask the Parliamentarian to...check out to the germaneness of this particular amendment.

PRESIDING OFFICER: (SENATOR LUFT)

If you will hold on one second, we'll look at the amendment to see if it's germane. While we're waiting for that, if there's any further discussion, we will continue that. At this time, we'll call on Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the...will the sponsor of the amendment yield to a question?

PRESIDING OFFICER: (SENATOR LUFT)

He indicates he will.

SENATOR LECHOWICZ:

You mentioned the fact that the appointing power would be the president of the county board, George Dunn. Have you had

an opportunity to talk to him about this amendment and whether he supports it?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Schaffer.

SENATOR SCHAFFER:

Well, our first reaction was to try and get clearance from the mayor. We've been attempting to find out where in Tennessee to mail him a copy of the proposal, but we have not had a chance to talk to Mr. Dunn. At the Grand Ole' Opry? Okay. Well, now we know where to send the amendment, so we'll try and get the message through to the mayor and we would be happy to...as the bill moves through the process see what the...Chairman Dunn's reaction is too.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, just for your edification, the mayor came back to the City of Chicago Tuesday night. If you want to call him, he's in his office and the same thing with George Dunn. I spoke with George Dunn yesterday and I asked him about this specific amendment, because it's been on our desks for a couple of days. He knew nothing of it nor does he support it and...about...recommend a No vote as well.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just briefly before the germaneness ruling is made, the bill has to do with the Illinois homeowner's mortgage counseling law and I wonder why you feel it's...it's necessary to gut the entire bill and that law which will assist individuals in...in trying to do what you're trying to do. I mean, you...you still could...can create a...an oversight committee for the CMA on many bills, perhaps even on this bill without gutting a...a bill that's very important to...to people cer-

tainly up in the City of Chicago.

PRESIDING OFFICER: (SENATOR LUFT)

We'll stand at ease till we get a ruling. (Machine cut-off)...the Chair is prepared to rule that Amendment No. 2 is not germane to House Bill 1229 and therefore is out of order. House Bill 1229 deals with the Code of Civil Procedure pertaining to real estate consulting on private mortgages and your amendment creates a new Act dealing with public housing. Any further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. All right. On the Order of House Bills 2nd Reading is House Bill 1253, Senator Mahar. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1253.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. House Bill 1258, on the Order of 2nd Reading, Senator Jerome...Joyce. Senator Joyce, would you like to call House Bill 1258? Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1258.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Any Floor amendments?

HB 1268  
2nd Reading

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the Order of 2nd Reading is House Bill 1268, Senator Newhouse. Senator Newhouse, House Bill 1268? I'm sorry, Senator Marovitz. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1268.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LUFT)

Any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. At the top of page 57, on the Order of 2nd Reading is House Bill 1326, Senator Lechowicz...read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1326.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR LUFT)

...hold it, Mr. Secretary. He does not wish to proceed with that bill, would you please remove it from the record? On the Order of House Bills 2nd Reading is House Bill 1341, Senator Zito. Senator Zito in the Chamber? Proceed, Mr. Secretary. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1341.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the Order of House Bills 2nd Reading is House Bill 1344, Senator O'Daniel. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1344.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the Order of House Bills 2nd Reading is 1359, Senator Jerome Joyce. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1359.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the Order of 2nd Reading, House Bill 1365, Senator Smith. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1365.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)



Any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Berman on Amendment No. 1. Senator Berman asks leave to withdraw Amendment No. 1 to House Bill 1365. Is leave granted? Leave is granted. Any further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the Order of 2nd Reading is House Bill 1373, Senator Weaver. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1373.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senators Schaffer and Friedland.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Schaffer on Amendment No. 1.

SENATOR SCHAFFER:

Mr. President, this simply adds the Crystal Lake and Marengo Civic Center Authority. The bill we passed out of here virtually unanimously got snarled up in House committee and we're attempting to add this to this bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Schaffer moves for the adoption of Amendment No. 1 to House Bill 1373. Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Schaffer, we haven't seen the amendment. Crystal Lake sounds familiar to me, I guess that's up in your

neck of the woods. How much will this cost us, Senator?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Schaffer.

SENATOR SCHAFFER:

It's no state involvement, it's local bonds. The civic center has to be supported by the revenue from the building. No tax increase at the state level; at the local level, similar to the...civic centers that have been established in any number of communities throughout the state.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? If not, all those in favor signify by saying Aye. Those No. The Ayes have it and Amendment No. 1 to House Bill 1373 is adopted. Any further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the Order of 2nd Reading is House Bill 1391, Senator Berman. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1391.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LUFT)

Senator Berman.

SENATOR BERMAN:

Is this...could you give me the LRB number?

ACTING SECRETARY: (MR. HARRY)

LRB8502456RESBAM01.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Berman.

SENATOR BERMAN:

Thank you. This is...this committee amendment was the one that was worked out with the automobile liability insur-

ance industry and spells out that the disclosure of limits is limited to auto liability and also imposes a requirement of disclosure of the nature of the claim by the claimant before this takes place. Move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Berman moves the adoption of Amendment No. 1 to House Bill 1391. Discussion? If not, all those signify...in favor signify by saying Aye. Those opposed Nay. The Ayes have it and Amendment No. 1 to House Bill 1391 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Floor amendments?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the Order of 2nd Reading is House Bill 1392, Senator Welch. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1392.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the Order of 2nd Reading is House Bill 1415, Senator Jeremiah Joyce. On the Order of 2nd Reading is House Bill 1421, Senator Savickas. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1421.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LUFT)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Committee Amendment No. 1 would exclude nurses licensed in another state or territory from the exemption from...civil liability for free nursing services, and I would move its adoption.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Savickas moves for the adoption of Amendment No. 1 to House Bill 1421. Any discussion? If not, all those in favor signify by saying Aye. Those opposed Nay. The Ayes have it and Amendment No. 1 to House Bill 1421 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Floor amendments?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR LUFT)

3rd reading. On the Order of 2nd Reading is House Bill 1428, Senator Jones. Senator Jones on House Bill 1428? Out of the record, okay. At the top of the page 58 on House...the Order of House Bills 2nd Reading is House Bill 1428, Senator Jones. I'm sorry, 1429. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1429.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Any Floor amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jones on Amendment No. 1.

SENATOR JONES:

Yes, thank you, Mr. President. Amendment No. 1 to House Bill 1429 deletes the title and makes it the Real Estate Licensing Act of 1983. It...it...this is the license fee increase for the realtors. It raises the fee for salespersons from five to ten dollars and for a broker from ten to...renewal fees from ten to twenty dollars, and I move the adoption of the amendment.

PRESIDENT:

All right. Senator Jones has moved the adoption of Amendment No. 1 to House Bill 1429. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. 1430, Senator Jones. On the Order of House Bills 2nd Reading is House Bill 1430. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1430.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Jones.

PRESIDENT:

Senator Jones on Amendment No. 1.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 1 is a JCAR amendment for the Veterinary Medicine and Surgical Practice Act to require the department to establish clear standards to be used to determine when to withdraw, suspend or place on probation a particular license and I move its adoption.

PRESIDENT:

Senator Jones has moved the adoption of Amendment No. 1 to House Bill 1430. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. Senator Zito, 1432. Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. Has an amendment been filed to this?

PRESIDENT:

Mr. Secretary, has an amendment been filed for 1432?

ACTING SECRETARY: (MR. HARRY)

It has a committee amendment, no Floor amendments.

PRESIDENT:

Has not been filed...

SENATOR ZITO:

...then we'll hold it.

PRESIDENT:

I beg your pardon?

SENATOR ZITO:

I'd hold it, please.

PRESIDENT:

Okay. 1433, Senator Luft. 1446, Senator Poshard. On

the Order of House Bills 2nd Reading is House Bill 1446.

Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1446.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor...amendments.

PRESIDENT:

3rd reading. 1473, Senator Zito. On the Order of House Bills 2nd Reading is House Bill 1473. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1473.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Zito.

PRESIDENT:

Senator Zito on Amendment No. 1.

SENATOR ZITO:

Thank you, Mr. President and members. This is simply a technical amendment, I would move for its adoption.

PRESIDENT:

Senator Zito has moved the adoption of Amendment No. 1 to House Bill 1473. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. 1484, Senator Friedland. On the Order of House Bills 2nd Reading is House Bill 1484. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1484.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 1498, Senator Lechowicz. On the Order of House Bills 2nd Reading is House Bill 1498. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1498.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 1508, Senator Schuneman. On the Order of House Bills 2nd Reading is House Bill 1508. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1508.

(Secretary reads title of bill)

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

PRESIDENT:



Senator Schuneman on Committee Amendment No. 1.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Committee Amendment No. 1, in effect, adopts eleven Senate bills that were passed out of the Senate and sent over to the House and apparently killed in House committees. The amendment was a joint effort by Senator Degnan, chairman of the committee, and Senator Dudycz, minority spokesman. I'd be happy to yield to either of those gentlemen...if there are any questions but, if not, I would move adoption of the amendment.

PRESIDENT:

All right. Senator Schuneman has moved the adoption of Amendment No. 1 to House Bill 1508. Discussion? If not, all in favor indicate...I beg your pardon, Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Could I just ask very quickly if Senate Bill 179 is on that list?

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

No, it isn't. What this amendment includes are eleven bills that were killed in the House, they are Senate Bill 88, 137, 176, 609, 641, 642, 644, 1208, 1319 and 1320.

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

Well,...well, thank you, Senator Dudycz. I...the bill that I'm interested in isn't on there and it did get passed out of the Senate and then from the Election Committee. So I thought maybe it would be but I understand that it's being taken care of otherwise. Thank you.

PRESIDENT:

All right. Senator Schuneman has moved the adoption of Committee Amendment No. 1 to House Bill 1508. Discussion?

If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 1524, Senator Karpel. On the Order of House Bills 2nd Reading is House Bill 1524. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1524.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. Senator Mahar on 1526. On the Order of House Bills 2nd Reading is House Bill 1526. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1526.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

HB 1548  
2nd Reading

3rd reading. Senator Zito on 1531. On the Order of House Bills 2nd Reading is House Bill 1531. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1531.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 1537. On the Order of House Bills 2nd Reading is House Bill 1537. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1537.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 1548, Senator Savickas. On the Order of House Bills 2nd Reading, bottom of page 58, is House Bill 1548. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1548.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Savickas on Committee Amendment No. 1.

SENATOR SAVICKAS:

Yes, Committee Amendment No. 1 to 1548 would stiffen the penalty for mistreating police dog. It would make it a Class B rather than a Class C penalty, five...five hundred dollar fine, six months in jail. There's been a concern in...a realistic concern with our state police and with our police departments that use police dogs about...now with the Mace and with the other chemicals that they are not only are injuring them but they are killing them and they would...this is...for police dogs that are racing around the city and it would stiffen the penalty and I would move its adoption.

PRESIDENT:

Senator Savickas has moved the adoption of Committee Amendment No. 1 to House Bill 1548. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 1563, Senator Zito. On the Order of House Bills 2nd Reading is House Bill 1563. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1563.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Zito on Committee Amendment No. 1.

SENATOR ZITO:

Yes, thank you, Mr. President and members. This amend-

ment was an agreement and worked out between the brewers and the wholesalers. It prohibits brewers from tapping the wholesaler's account for nonbeer items without notification and approval of the wholesale. I would move for its adoption.

PRESIDENT:

Senator Zito has moved the adoption of Committee Amendment No. 1 to House Bill 1563. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 1572, Senator Marovitz. 1590, Senator Welch. 1616, Senator Raica. On the Order of House Bills 2nd Reading, the middle of page 59, is House Bill 1616. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1616.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 1684, Senator Carroll. 1701. 1723, Senator del Valle. On the Order of House Bills 2nd Reading is House Bill 1723. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1723.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. Senator Zito. On the Order of House Bills 2nd Reading is House Bill 1763. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1763.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Zito on Committee Amendment No. 1.

SENATOR ZITO:

Yes, thank you, Mr. President. There was some spirited discussion in committee and with the help of the Department of Revenue and others, this amendment would add "willfully or without lawful justification failing to file any document." It really is a committee amendment. I would move for its adoption.

PRESIDENT:

Senator Zito has moved the adoption of Committee Amendment No. 1 to House Bill 1763. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. I beg your pardon, Senator Berman.

SENATOR BERMAN:

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

PRESIDENT:

Sponsor indicates he'll yield, Senator Berman.

SENATOR BERMAN:

I apologize, Senator Zito, but I came in at the tailend. Is this amendment agreed to by the department, number one?

PRESIDENT:

...Senator Zito.

SENATOR ZITO:

Yeah, my understanding is, Senator Berman, that they have agreed to...at least not taken a position. They...but they were instrumental in the drafting of the amendment.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Well, as I read the analysis, if there's a willful and unlawful...and without lawful justification failing to file any document, pay any tax or report any taxable receipts. Well...what about the situation that we've raised in committee where the taxpayer feels that he has a legal justification? Where does the administrative process and the hearings, where does that take place in relation to this bill or does he lose his certificate to do business in the process?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Well, as I stated in committee, it's not my intent with this amendment to have that revocation happen and I don't believe that this amendment deals with that section that you're...referring to. I don't think that's going to happen, Senator Berman. At least that's not our intention.

PRESIDENT:

All right. Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Just so we make it clear and...and I...I want the legislative intent to be very spe-

HB 1767  
2nd Reading

cific here. Staff advises me that this mandatory revocation of a certificate is subject to the administrative process in the department, and I hope that the staff on both sides will take a second look at this, that the person that has a legitimate difference of opinion with the Department of Revenue while he's going through the hearing process doesn't wind up out of business; otherwise, there's going to be a lot of embarrassment in this Body if that takes place. So I...with that understanding, I will have no objection to this amendment, but I...I hope that by 3rd reading, both...staffs on both sides and the department will communicate so that we don't put somebody out of business before they have the chance to have their due process and I'm talking about business people, ladies and gentlemen, not others. Thank you.

PRESIDENT:

All right. Senator Zito has moved the adoption of Amendment No. 1 to House Bill 1763. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 1767, Senator Dunn. On the Order of House Bills 2nd Reading is House Bill 1767. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1767.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:



Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Ralph Dunn.

PRESIDENT:

Senator Dunn on Amendment No. 1.

SENATOR RALPH DUNN:

Thank you, Mr. President. This is a technical amendment...clarify the original intent of House Bill 1767 by striking the word "permit" in one place. It will make the amendment...clarifies the bill so that coal ash from fluidized bed boilers can be disposed of at the coal mines as was the agreed intent of the bill. I'd move the passage.

PRESIDENT:

All right. Senator Dunn has moved the adoption of Amendment No. 1 to House Bill 1767. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. 1768, Senator Marovitz. On the Order of House Bills 2nd Reading is House Bill 1768. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1768.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 1786. On the Order of House Bills 2nd Reading is House Bill 1786. Read the bill, Mr. Secretary,

please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1786.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz on Amendment No. 1.

SENATOR MAROVITZ:

Okay. This is a...this is an amendment that was talked about in...in committee and asked in committee so that the recording devices regarding tampering with drugs and medications that any of those recordings would be...would be destroyed by any law enforcement agencies within twenty-four hours. And...and this...this sets out that that would have to...that...that obligation of the law enforcement agencies would be in...in the Statute.

PRESIDENT:

All right. Senator Marovitz has moved the adoption of Amendment No. 1 to House Bill 1786. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz on Amendment No. 2.

SENATOR MAROVITZ:

Yes, this was...this was requested...and it says that no...this is a...involves immunities so that if a common care...carrier by wire or its officers provide information pursuant to the tampering hotline in this Statute that there

would be no liability if that information was provided pursuant to Statute.

PRESIDENT:

Senator Marovitz has moved the adoption of Amendment No. 2 to House Bill 1786. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. Top of page 60, Senator Netsch. On the Order of House Bills 2nd Reading is House Bill 1812. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1812.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Netsch.

PRESIDENT:

Senator Netsch on Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. The bill deals with the definition of mental illness and the right treatment, and at the request of some of the interested parties who had looked at it, the amendment clarifies that the acute effects of alcohol or substance abuse, developmental disabilities, deafness, blindness or other primarily organic or physical disorders do not alone constitute mental illness, just to make clear that there is no intermixing of the two. I would move the adoption of Amendment No. 1 to House Bill 1812.

PRESIDENT:

HB 1836  
2nd reading

All right. Senator Netsch has moved the adoption of Amendment No. 1 to House Bill 1812. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. Senator Welch, 1836. On the Order of House Bills 2nd Reading, top of page 60, is House Bill 1836. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1836.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Welch on Committee Amendment No. 1.

SENATOR WELCH:

Thank you, Mr. President. Amendment No. 1 basically became the bill and what it does is provide for specifics for the Campground Licensing Recreational Act. The American Resort Residential Development Association developed the Campground Act. It puts some language into the Statute which we didn't have before, they now have to be licensed. It defines salespersons, prohibits certain advertising and it makes other requirements for operating a campground in the State of Illinois. I would move its adoption.

PRESIDENT:

Senator Welch has moved the adoption of Committee Amendment No. 1 to House Bill 1836. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Welch.

PRESIDENT:

Senator Welch on Amendment No. 2.

SENATOR WELCH:

Thank you, Mr. President. After adopting Amendment No. 1 in committee, the Attorney General had some questions. What this amendment does is clarify the third-party liability when any membership is solicited and it makes campground owners more likely to be liable if they knew or should have known of the acts or misrepresentations of the third party. This was at the request of the Attorney General, and after it's adoption, they apparently have no objection to the bill. I would move for the adoption of the Floor amendment.

PRESIDENT:

All right. Senator Welch has moved the adoption of Amendment No. 2 to House Bill 1836. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, is this...is this just all commercial? I mean, what happens to...my father-in-law that has a campground and he's got a couple of trailers out there and he's charging a couple of bucks a day, does he have to get a license now?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

...only if he sells memberships in the campground. If he's a operator of a lot that has septic tank facilities and electrical wiring available, then he would not be selling memberships. This is only for a campground that you purchase similar to a...it's similar to a time sharing or condominium theory, but if it's a day-to-day operation when you don't

HB 1867  
2nd Reading

know who's coming and who isn't, then he is not subject to this particular Act.

PRESIDENT:

All right. Senator Welch has moved the adoption of Amendment No. 2 to House Bill 1836. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

3rd reading. Senator Luft, 1859. Senator Savickas, 1867. On the Order of House Bills 2nd Reading is House Bill 1867. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1867.

(Secretary reads title of bill)

The Committee on Energy and Environment offers three amendments.

PRESIDENT:

Senator Savickas on Committee Amendment No. 1.

SENATOR SAVICKAS:

Yes, this is a JCAR amendment and it restores an original provision relating to adoption of Federal rules and regulations and I would move its adoption.

PRESIDENT:

Senator Savickas has moved the adoption of Committee Amendment No. 1 to House Bill 1867. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Committee...Committee Amendment No. 2.

PRESIDENT:

Senator Savickas on Committee Amendment No. 2.

SENATOR SAVICKAS:

Yes, this also is a JCAR amendment and it requires the PCB to adopt identical rules and regulations as the Federal rules in regard to Safe Drinking Water Act and I would move its adoption.

PRESIDENT:

Senator Savickas has moved the adoption of...Committee Amendment No. 2 to House Bill 1867. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Committee Amendment No. 3.

PRESIDENT:

Senator Savickas on Committee Amendment No. 3.

SENATOR SAVICKAS:

Yes, this would limit the local fees for disposal of solid waste and it would limit it to the fees...the fees that are charged by the state...the same fees. Local fees are charged in Madison and St. Clair Counties. These fees are at the state level and would not be effected. So I'd move its adoption.

PRESIDENT:

Senator Savickas has moved the adoption of Committee Amendment No. 3 to House Bill 1867. Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Will the sponsor yield to a question, Mr. President?

PRESIDENT:

He indicates he will yield, Senator Lechowicz.

SENATOR LECHOWICZ:

Will this affect the fees that are paid presently in the City of Chicago?

PRESIDENT:

Senator...Senator Savickas.

SENATOR SAVICKAS:

...the City of Chicago does not impose any local fees. This has...would not be relating to them imposing any fee; in fact, the City of Chicago would like to get rid of all of it, you know, they're...they don't impose the fee, the City of Chicago.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

That's...may be somewhat accurate, but there is a fee imposed at the dump site itself, and if you read in the paper of last week, what they've done is they've curtailed a number of tonnage coming into the site to try to extend the life of the site and they're also adjusting the fees that is being paid at the drop-off. Now, my question is, does this affect the fees at these dump sites within the County of Cook?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

This would keep them pegged to the state level so that they cannot keep increasing them. The...the cities would be...the cities would support this amendment.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

The question is, what is the state level and what's being charged now?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, it would limit the fees charged by local governments for disposal of solid waste at two...to, A,...forty-five cents a cubic yard if more than a hundred and fifty thousand cubic yards of nonhazardous solid waste unless the owner uses a scale certified by weights and measures, in



which case the fee shall...not exceed ninety-five cents; B, for twenty-five thousand...twenty-five thousand dollars for a hundred thousand to a hundred and fifty thousand cubic yards. Eleven...C, would be eleven thousand three hundred dollars for fifty thousand to a hundred thousand cubic yards. D, three thousand four hundred and fifty dollars for ten thousand to fifty thousand cubic yards and, E, five hundred dollars if not more than ten thousand cubic yards.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, this basically answers my question then as far as this would...actually help the City of Chicago in establishing a uniform system as far as the...and the stopping...escalation of the fees at...at the dump sites, and I have no...I have no further questions and I'll support the amendment.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT:

He indicates he'll yield, Senator Hall.

SENATOR HALL:

Senator Savickas, I just happen to come in and I heard...pardon me, I heard you mention something about St. Clair and...and Madison County. What...what...would you enlighten me on what you're talking about?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

...Madison and St. Clair Counties are already at forty-five cents and they're not...these are the fees that the state has set, so they're at that, it will not affect them.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Would the sponsor yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

Are you talking...are you saying that...that this bill is going to set the fees for dumping garbage throughout the state irregardless of where the dump site is?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

This deals only with local fees that are imposed, Senator Fawell. At the present time, only three counties in the State of Illinois have exercised their local option, Madison, St. Clair and McHenry and the two of them already are at the state...the state fee level...they've already reached the state fee level.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

...and you're raising them, is that what you're trying to do?

PRESIDENT:

Senator Savickas.

SENATOR FAWELL:

...or you're just trying to regulate them?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

We're just keeping them at the...what the state has imposed as their rate, that is the level that they will stay

at...we're capping it at that level.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

What about, for instance, in my county where we've got landfills in forest preserves? Are you talking about telling my forest preserve how much they can charge for that landfill for anybody that comes and dumps?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Senator, what is your county?

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

The second largest county in the state, DuPage.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

They have not imposed any local fee as of...as of this date only three counties have sought that option.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. I'm sorry, I didn't hear the last answer of Senator Savickas. Is DuPage County included in this bill?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, Senator, all the counties are included. What has happened is only three counties at present impose a local fee as of today, that is, Madison, St. Clair and McHenry. No other county in the state imposes a local fee, this would set

the cap at that level of what the state level is.

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

Well, Senator Savickas, in committee a few weeks before this bill came up, you...were...you had a bill which would say that Dupage County could not charge the fee for Chicago to dump at Mallard Lake, I'm sure you remember that bill. And now you're saying that they don't...it is my understanding that DuPage County Forest Preserve District does charge a fee and I thought that's what your first bill was all about.

PRESIDENT:

...further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I'm sort of confused here now. Could I ask Senator Savickas a question?

PRESIDENT:

He indicates he'll yield, Senator Sam.

SENATOR VADALABENE:

Yes, Senator Savickas, you say that you're freezing...or that Madison County now has...there's a cap on...on...and...Madison County. Does that mean now that if the...the...the landfill operator...or disposal operators now can...since they reached the cap can say to the consumer say, for instance, he's paying six dollars a month, now he'll have to pay seven or eight dollars a month because there's no more money, there's a cap on what he can receive.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, once again, Madison-St. Clair already impose a fee that is state law now. These are fees that are in state law, they are at that cap, we are not changing that.

I...Madison-St. Clair impose it at what is state law now. The fees are not being changed. One other county has exercised that option to impose a local fee and that's McHenry and they're not at this level that I...that I know of. What we're saying is that the counties themselves if they exercise this option will do it at the state level...Madison and St. Clair, whether this bill passes or not, could not change it because the law says that they are where they're at and that's it. Whether we pass this or not, it doesn't affect them.

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

Well, Mr. President, I still haven't had an answer. It's my understanding DuPage County charges, Champaign County charges, now there may be some technical difference between forest preserve districts charging as opposed to counties or whatever, but it's my understanding that more than just those three counties do charge at present and then I have another question if I get an answer to that one.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

At the present time, Madison and St. Clair County are the only two that have reached the state level. There...some may be charging at...at a lower rate, only two that have reached that level. Basically, this bill was introduced as a compromise to what the city was doing in DuPage and their concern about it. So instead of just running away, they're saying, let's do it...peg it at the highest is what the state now sets as the fee and that...and that's basically what this does.

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

Well, first of all, I don't quite understand that reasoning. Now we are saying there are other counties that are charging but none of them except those two are charging at what is now the state maximum and you are putting it for every county now that they can only charge the maximum or they must charge the maximum? I haven't got that quite...quite clear and I thought Champaign County was charging more than that. But aside from all of this, it seems to me I've read in the paper recently that the court...Supreme Court has ruled that local governments cannot charge outside...for outside of that local entity to bring garbage into their dumps, and if that's the case, I don't know why we're even doing this.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

My handler and technician has informed me that, yes, there was the lawsuit, that there is a freeze on it at this point and that it should not affect this bill as is.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Yeah, Senator Savickas, a question. If...if we're going to put a...a rate limit on and the city or whoever is is picking up the garbage and is paying more than what we put this cap on, does not...then you're making now the state liable for a sizable fee under the Mandate's Act because you have by state law, if this would pass, restricted the amount of fee that they can charge?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

I'm sorry, I didn't hear that last part, I was being

whispered in my ear...now maybe...maybe this...the last whispering might solve that. The state now sets the standards at forty-five cents a cubic yard or these figures that I have just read, and what it is saying that the locals cannot exceed what the state charges. If the state charges this much, the locals can charge this much and that's where it sets it at.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

That wasn't my question. My question was, if we're going to set a cap on the fee and the cap is less than what is being charged, who is going to be responsible for that? Are you now making the State Treasurer or the General Revenue Fund liable under the Mandate's Act because you're denying a...a source of income to that dump?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, I'm...I guess I'm not hearing it right. The local charge would be on top of what the state charges, only...they can only go up to what the state level is. If the...the state charges so much, the local can charge anything they want plus the state charge but not to exceed what the state charges.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

I'm sorry, Mr. President, but this is a fairly...meaningful piece of legislation. This is new language you're putting in here, Senator Savickas; it's underlined, that means it's new words in the Statute. I don't know that much about what the state's cap is on what they charge or don't charge, but I do know that if we deny

someone a source of revenue under the Mandate's Act, we, the General Assembly, and general revenue is responsible to make up that difference. Now, all I'm asking, does or does not this make the state liable under...under the Mandate's Act to make up the difference?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

No...there...there isn't any difference to be made up. What we're saying that...this...the state has set these figures and what we're saying that once a county imposes a local charge, they can impose at the same rate that the state imposes and that's all we're saying. If the state...imposes forty-five cents a cubic yard, the county can impose anywhere from ten cents to forty-five cents a cubic yard on top of what the state does. They...they could...they set the levels at what the state levels are.

PRESIDENT:

All right. Any further discussion? Senator Savickas has moved the adoption of Amendment No. 3 to House Bill 1867. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment...the amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments...no further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 1869, Senator Watson. 1875, Senator Maitland. 1896, Senator Carroll...1908, Senator Savickas. On the Order of House Bills 2nd Reading is House Bill 1908. Read the bill, Mr. Secretary.



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END OF REEL

HB 1925  
2nd Reading

REEL #5

ACTING SECRETARY: (MR. HARRY)

House Bill 1908.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 1919, Senator Joyce. 1920, Senator Netsch. 1925, Senator Smith. On the Order of House Bills 2nd Reading is House Bill 1925. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1925.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

3rd reading. 1940, Senator D'Arco. On the Order of House Bills 2nd Reading is House Bill 1940. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 1940.

(Secretary reads title of bill)

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

PRESIDENT:

Senator D'Arco on Committee Amendment 1.

SENATOR D'ARCO:

Thank you, Mr. President. Committee Amendment 1 provides that the notice requirement to the trust must be given to the beneficiary of the trust. Senator Geo-Karis in committee rightly argued that the beneficiary should be given notice and I agreed with her. I move to adopt Amendment No. 1. That a boy, yeah.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator D'Arco has moved the adoption of Committee Amendment No. 1 to House Bill 1940. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1959, Senator Savickas. House bills 2nd reading is House Bill 1959, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1959.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2006. Top of page 61. 2006, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

*HB 2011  
2nd Reading  
HB 2044  
2nd Reading*

House Bill 2006.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2011, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 2011.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2044, Senator Watson. House bills 2nd reading is House Bill 2044, Mr. Secretary. All right. 2044.

ACTING SECRETARY: (MR. HARRY)

House Bill 2044.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Would you please ask the

Secretary to read the LRB number to make sure we have the correct amendment.

ACTING SECRETARY: (MR. HARRY)

SRS85H2044LFDGAM is the first amendment.

SENATOR WATSON:

That's correct and thank you. This Amendment No. 1 to House Bill 2044 makes several provisions, one of which would give the Department of Public Health more flexibility in establishing the confidential...confidentiality of the procedure. It would delete the provisions that notification and penalties would be...placed on someone who knowingly donates or sells blood...contaminated blood. It provides that an employer of a health care worker "may" instead of "shall" limit the direct contact of a patient that has AIDS. It also has some technical language in regard to the premarital testing. We also changed some of the language in regard to notification of school districts. We had provision in there that said that the...school superintendent and the president of the school board would be notified, we are expanding that language and it also adds an immediate effective date. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Watson has moved adoption of Amendment No. 1 to House Bill 2044. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you. I'd like to withdraw Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Watson seeks leave to withdraw Amendment No. 2. Amendment No. 2 is withdrawn. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2051, Senator Welch. 2065, Senator Thomas Dunn. House bills 2nd reading is House Bill 2065, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2065.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor? All right. Let's take it out of the record. 2151, Senator Welch. 2164, Senator Marovitz. 2165, Senator Collins. House bills 2nd reading is House Bill 2165, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2165.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2206, Senator Newhouse. House bills 2nd reading is House Bill 2206, Mr...no, take it out of the record. 2228, Senator Dudycz. Bottom of page 61 is House Bill 2228, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2228.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 62, 2247, Senator Jerome Joyce. House bills 2nd reading, top of page 62, is House Bill 2247.

ACTING SECRETARY: (MR. HARRY)

House Bill 2247.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2276, Senator Hall. House bills 2nd reading is House Bill 2276, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2276.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, with the consent of the sponsor of the bill, Senator Hall, I am filing the following amendment to delete the...the...on page 1, line 8, by deleting "grants and" to...and then in

*HB 2406  
2nd Reading*

line...lines 10 and 11, deleting "the month of October, 1986" and inserting in lieu thereof, the following, "the months of September and October of 1986." And I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis has moved adoption of Amendment No. 1 to House Bill 2276. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2319, Senator Lechowicz. 2406, Senator Jacobs. House bills 2nd reading is House Bill 2406, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2406.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Well, as we said when we took this around last time, there would be another amendment. This amendment strikes everything after the enacting clause and becomes the bill. This is an agreed bill with the Governor's Office and ...the local legislators from the area. The changes in this particular piece of legislation basically center around membership and giving the bonds tax exemption, also removes the moral



obligation from the...the bill, and it does give expanded planning aspects and will be revenue bonds only. There will be another amendment to this too. And I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs has moved...moved the adoption of Amendment No. 1 to House Bill 2406. Discussion? Senator Karpiel.  
SENATOR KARPIEL:

I'm sorry, I did not get this straight what this amendment does, I wonder if you could explain this one more time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

The amendment basically becomes the bill, Senator. Some of the changes, as we were discussing, were in the membership area. Also, it removes the moral obligation from the state. It does allow for expanded planning aspects in the bill and it does indicate that it will be revenue bonds only. Then the...does in this particular amendment give the tax exemption to the revenue bonds. Is there a specific question you have, Senator? I'd be more than happy to try to answer that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Karpiel.

SENATOR KARPIEL:

I understand, Senator, that in your bill this authority will have quick-take powers. Are there any other of these development authorities that have that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

I really don't know, I'm only interested in this one, Senator. But the quick-take is a limited quick-take, it doesn't relate at all to residential or farmland, it only deals with the industrial properties. The reason that was

left in, and it was left in by agreement of the Governor's Office and our people, that there is a piece of property that is being considered to be part of this development that the company feels may be best handled by going through the quick-take procedure and as far as their taxpayer...their stockholders are concerned to work out the details afterwards, and it's got a three-year limit...Statute of Limitations on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Well, when you say limit or Statute of Limitations, do you mean that after three years the quick-take power goes out of existence, or after three years the limitation on it goes out of existence? The quick-take powers go out of existence after three years?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Jacobs.

SENATOR JACOBS:

...yes, after three years the Statute of Limitations is out of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank...thank you, very much. As minority spokesman, my...my...our senior staff has...has checked this, and it's...it's a good amendment and I would suggest we vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jacobs has moved the adoption of Amendment No. 1 to House Bill 2406. Further discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Whiteside County is a...a county adjoining Rock Island County which will be the site of the Quad-City Regional Development Authority. Whiteside is my home county, we have supported the development of Rock...of Quad-City Development Authority. We weren't sure whether we wanted to be a part of it or not but we have supported the creation. My county board has within this past week adopted a resolution deciding that they really don't want to be a part of the authority. So this amendment simply removes Whiteside County as a part of the Quad-City Regional Development Authority. We continue to support the concept but the county...Whiteside County wants out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

This is a...this also is agreed upon between Senator Schuneman and all parties concerned.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Schuneman has moved the adoption of Amendment No. 2 to House Bill 2406. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2410, Senator Dunn. House bills 2nd reading is House Bill 2410, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2410.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading...2433, Senator Jones. House bills 2nd reading is House Bill 2433, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2433.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. Amendment No. 1 to...to House Bill 2433 deletes the title and inserts...in lieu thereof "An Act in relationship to...to professions and occupations." This is the Nurse Practice Act which passed the...the Senate. And I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there...Senator Jones has moved the adoption of Amendment No. 1. Discussion? Senator Rock.

SENATOR ROCK:

Well, one, I would question the germaneness of this amendment; but, two, I would rise in opposition to this amendment. And I think this is a subject matter that we discussed at some length. And you are correct, it did pass and

go over to the House; the House in its wisdom, or lack thereof, has decided that this better belongs on interim study or whatever their delaying Calendar is and, frankly, I agree with that. And I would oppose Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, in response to Senator Rock, as it relate to the action of the Senate, sure...the...the bill got held up in the House committee as most Senate bills have gotten hung up in committee and...as far as the germaneness of the amendment, the amendment is germane. The amendment is essentially the bill, and you want to discuss the merits, we can do that on 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I think the...the purpose of this amendment is simply to keep the Senate version alive in the House. When the Senate bill passed over to the House, the House summarily dismissed the Senate opinion on this subject, and while some of us differed as to what the Senate should do, the Senate has nevertheless spoken on the issue. And, so I would support Senator Jones' amendment. I think we should maintain the Senate position on this issue. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones, are...do you...Senator...Senator Jones may close.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. As stated by my colleague, Senator Schuneman, we want to keep before the House our version of how the Nurse Practice Act

should be rewritten. The Senate has spoken. As most House bills do when they...House...most Senate bills do when they get to the Senate, they are...arbitrarily killed or put into a subcommittee. The Senate spoke loud and clear on this issue. We are amending Chapter 111 and...and...and this amendment not only deletes the title but it also delete the...change everything after the enacting clause which automatically make it germane. And I move for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones, a roll call has been requested. Senator Jones moves the adoption of Amendment No. 1 to House Bill 2433. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Last call. Take the record. On that question, the Ayes are 25, the Nays are 19, 2 voting Present. Amendment No. 1 is adopted. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Inquiry of the Chair. Is that to be determined loud and clear? Okay, I don't care.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2437, Senator Jones. Senator Jones. 2437. All right. House bills 2nd reading is House Bill 2437, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2437.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones. I'm sorry. Is there any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. First, I'd like to take leave to add Senator Schuneman and Senator DeAngelis as the hyphenated joint sponsors of House Bill 2437. House...Amendment No. 1 to House Bill 2437 amend the Risk Retention Act and it provides for captive insurance companies to be licensed under such Act. And I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones has moved adoption of Amendment No. 1 to House Bill 2437. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones, you requested leave to have Senator Schuneman added as a hyphenated cosponsor. Is that correct? And Senator DeAngelis. Is leave granted? Leave is granted. So ordered. 3rd Reading. Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

Could I ask leave to be added as a hyphenated cosponsor as well?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Barkhausen seeks leave to be added

as a hyphenated cosponsor also to House Bill 2437. Is leave granted? Leave is granted. So ordered. House Bill 2465, Senator Marovitz. 2470, Senator Kustra. House bills 2nd reading is House Bill 2470, Mr...Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2470.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2493, Senator Joyce. House bills 2nd reading is House Bill 2493, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2493.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This amendment would bring the Veterans' Administration into...well, what it does, it...the...the U S Veterans' Administration...prescribes certain standards of care at veterans' facilities. This amendment would bring Illinois standards into compliance with Federal standards for patient-cared veterans' homes. I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce has moved the adoption of Committee Amendment No. 1 to House Bill 2493. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay.



The Ayes have it. Committee Amendment No. 1 is adopted.

Further committee amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2507, Senator Marovitz. 2576...2606. The bottom of page 62 is 2606, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 2606.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The bill itself applies to municipalities over fifty thousand individuals; the amendment will reduce that to...to municipalities over ten thousand individuals. I would move adoption of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved adoption of Amendment No. 1, House Bill 2606. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

HB 2682  
2nd Reading  
HB 2636  
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 63, House Bill 2636, Senator Luft. On the Order of House Bills 2nd Reading is House Bill 2636, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2636.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. This amendment is a clean-up amendment on the towing bill that we passed last year. It simply clarifies that owners requesting tows are exempt from the ICC rules. I would ask for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft has moved the adoption of Amendment...Amendment No. 1. Is there discussion? Senator Karpel. No. All right. Senator Luft has moved the adoption of Amendment No. 1 to House Bill 2636. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2682, Senator Watson. House bills 2nd reading is House Bill 2682, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2682.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to withdraw Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Watson seeks leave to withdraw Amendment No. 1...Amendment No. 1 is withdrawn. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

I would like to withdraw Amendment No. 1 again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson seeks leave to withdraw Amendment No. 1 again. Leave is granted. All right. Is...is there anything left?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2700, Senator...Barkhausen. Well, we haven't got it in the record yet. 2702, Senator Marovitz. 2713, Senator Jones...or House bills 2nd reading is House Bill 2713, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2713.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Amendment No. 1 amends that section of the...of Senate Bill 850 which was sponsored by Senator Severns onto the bill, and it authorized...municipalities...are...authorized delivery of property tax to meet...actuarial needs of pension funds and also provide for economic and fiscal impact. Ask for adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones has moved the adoption of Amendment No. 1 to House Bill 2713. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2715, Senator Jones. House bills...House bills 2nd reading is House Bill 2715, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 2715.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and members of the Senate. Amendment No. 1 to House Bill 2715 reduces the age from fifty-five to fifty for widowers, and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones has moved adoption of Amendment No. 1 to House Bill 2715. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Are we adopting Floor amendments or seeking to adopt Floor amendments, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, we are, Senator. The perfect reason why we are doing this is that to ensure that this bill will be placed in the Conference Committee. As you know, we will be dealing with many pension proposals from legislators from both sides of the aisle, and as it stands right now, there aren't many...there's only about three vehicle bills available, that's the reason why we're putting this amendment on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Two...two questions. I...I would ask you to explain again which system benefits you're increasing and then I'd also like to know what's the cost of what you're doing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

This is for the downstate teachers...the teachers' pen-

HB 2746  
2nd reading

sion system, and as far as the fiscal impact, I don't have the fiscal impact as such at this time, but it is determined that the actuarial cost would be at a very, very small, very minimal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well,...I don't know what you mean by very small, very minimal. We seem to have a difference of opinion about those...how important some of these issues are. You're...you're allowing survivors to collect at age fifty rather than age fifty-five and it seems to me that at those early ages we may be talking about quite a bit of additional money. I'm not going to oppose the amendment at this time because we can vote on the bill, but we ought to know what the fiscal impact of this is going to be when we vote on the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, according to the Economic and Fiscal...which you receive the same report that I do, that the amount...it be relatively small. It's very difficult to determine how many of those persons will remarry at that age.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Jones has moved adoption of Amendment No. 1 to House Bill 2715. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2746, Senator Hall. House bills 2nd reading is House Bill 2746, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2746.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2768, Senator Jones. 2797, Senator Ralph Dunn. House bills 2nd reading is House Bill 2797, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2797.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn, Ralph Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President. The amendment sunsets the program after three years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Dunn has moved adoption of Amendment No. 1 to House Bill 2797. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2806, Senator Weaver. House bills 2nd reading is House Bill 2806, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2806.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Amendment No. 1 to House Bill 2806 deletes everything after the enacting clause and the amendment becomes the bill. It states that acquisition by banks and bank holding companies with Federal or State ownership that no bank or bank holding company may acquire an Illinois bank by asset or stock purchase, merger, consolidation or otherwise where more than five percent of the outstanding voting shares of the acquiring bank or bank holding company are owned by the FDIC and where such stock ownership was acquired in connection with the provisions of financial assistance by the agency to the acquiring bank or bank holding company or to an affiliate of such acquiring bank holding company. If there are any questions, I'll be happy to try to answer them, but I move the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver has moved the adoption of Amendment No. 1 to House Bill 2806. Is there discussion? Is there discussion? Senator Keats.

SENATOR KEATS:

This is going to get me in trouble, my roommate is going



to kick me out here. This is actually...had been Senator Philip's idea. As many of you know, you've been talked to about this one. This is the one that says, if you're involved essentially with insurance. If Bill Marovitz and I are in an insurance plan, we're both insured with Allstate, and Bill gets in an accident, I don't have the right to call...Allstate and complain because they reimbursed him, basically that's what this amendment says. I understand the thrust of the argument and I'm sympathetic, but at the same time, if you're part of an insurance program you shouldn't be complaining 'cause the other guy drew benefits from the insurance program, that he was paying for also. That's the thrust of this argument. Another one is, it dramatically ties the hands...it really only deals with one bank in the whole state, dramatically ties the hands in one of the state's two largest banks. As the House has just passed, Senate Bill 990 which opens up Illinois to wide-open interstate banking, we're in the process of taking one of our two biggest players out of the market. Anyone who understands wide-open interstate banking has to be a little concerned that the Illinois banks will tend to be dominated by outside banks because our banking system that's been so totally restrictive over the years, they are at a distinct competitive disadvantage. This increases our competitive disadvantage. I understand why Senator Philip wants this position and I appreciate his thoughts, but do you really want to slit our own throat just as the enemy comes in the door with guns? I would ask you to oppose this amendment only because it puts us in a position of saying the largest player...second largest player in the game can't play because it drew insurance. And if you and I are to ever get our insurance money back, they have to profit; they don't profit, we lose our money. And the insurance company, which is the FDIC, loses its money. You and I lose that, we don't want that to happen. I

would ask you to oppose this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

...question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Weaver, why would you want to prohibit a bank who part of the stock is owned by the FDIC to become healthy so they can repay the FDIC which is the original reason why you're trying to stop...you're trying to keep them from acquiring somebody is because the FDIC is in there. If that's a little confusing, what I'm saying is what you're doing is you're kicking a patient that's trying to get healthy, why would you be doing that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator DeAngelis, is that a question? Senator Weaver.

SENATOR WEAVER:

...Senator, I think that we're just trying to preclude a troubled bank from taking over other banks and the possible effect that the FDIC may have to come in and buy more stock. Now, we're talking about the trigger of 1990. It could well be that they'll be in a position of being less than five percent by 1990, hopefully. I...I see no reason why every bank in the state should help subsidize to...to some degree or that's the way some figure the acquisition of other banks in the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Weaver, your explanation was probably as confusing as my question. The fact is, you don't make

somebody...if you claim they're not healthy, you don't make them healthier by withholding their medicine. Now those acquisitions have to be approved by the Federal Reserve Board. And you're, first of all, now saying the State of Illinois is going to override the Federal Reserve Board. Secondly, they are prohibitive from making those acquisitions with equity instruments that are funded by the FDIC. They can only make it out of their own capital, out of their own earnings, but now you want to prohibit them from doing that. I know there are a lot of people that are mad about this and...maybe with some justification, but I have to tell you that the FDIC is an insurance company, as Senator Keats said, and Continental had a fire. The FDIC paid the claim, but now, what they are saying is, we don't want to give you the right to rebuild your house. This is truly a noncompetitive piece of legislation and it's directed, as Senator Keats said, at one bank. And for those of you who think that the FDIC did too much, the only way you're going to get paid back, the only way, is for the FDIC to sell their stock in this bank. And if you prohibit them from doing what they have to do to make that stock marketable, then you're simply shooting yourself in the foot.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I just want to state that...make it brief, that I couldn't agree with Senator Keats and Senator DeAngelis more, and I think that...to vote for this amendment would be a vote against free enterprise.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Just...not to belabor the issue but I, too, rise in strong opposition to

this. This was not heard in the committee on...Senate Committee on Finance and Credit Regulations, and...and this amendment is really, really geared and directed at one bank in Illinois and one bank only and that's Continental. I'm not so sure that this is in the best interests of...of the banking industry and would ask...and urge the members to oppose this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver may close.

SENATOR WEAVER:

Well, thank you, Mr. President. I think this amendment reflects the views of a great many bankers in the State of Illinois, certainly not all of them. But if you leave the acquisition up to the commissioner of banks in the State of Illinois, which basically we do, I still think that a troubled bank should not be acquiring other banks in the State of Illinois and I would hope that we would adopt this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver has moved the adoption of Amendment No. 1 to House Bill 2806. Those in favor will indicate by saying Aye. Opposed Nay. Well, Senator Weaver has requested a roll call. All right. Senator Weaver has moved the adoption of Amendment No. 1 to House Bill 2806. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. Let's not make it any worse than it is. On that question, the Ayes are 8, the Nays are 39, none voting Present. Amendment No. 1 failed. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2825, Senator Barkhausen. 2826, Senator

Woodyard. Page 64, 2853, Senator Schaffer. Senator Rock.

SENATOR ROCK:

Thank...thank you, Mr. President, Ladies and Gentlemen of the Senate. I discussed earlier today with Senator Philip the agenda that we would follow. Now having concluded or been through House bills 2nd, we will adjourn until tomorrow morning. Our suggestion is that we will start tomorrow morning at nine o'clock in the morning and we will again go through 2nd readings including the appropriation bills, and having concluded that, we will then adjourn for the weekend. And we will hopefully be in a position to afford the members a list for the agreed bill process that they can take home and study. So if we can start tomorrow morning at nine o'clock, I assure you we will make every attempt to be out by noon so that we can all get back to our district offices and do what we have to do. If there is no further paper work or business, Mr. President, I would move that the Senate stand adjourned until Friday morning at nine o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We'll hold that motion just a moment. Resolutions.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 411 offered by Senator Davidson and all Senators. It's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 412 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. Further business to come before the Senate? Senator Geo-Karis. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, with leave of the sponsor of Senate...of

House Bill 2276, I would like to be added as a hyphenated co-sponsor with...on House Bill 2276. Senator Hall is the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis has sought leave to be added as a hyphenated cosponsor to House Bill 2276. Is leave granted? Leave is granted. So ordered. Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Yeah, for leave of the Body to be added as a hyphenated cosponsor to House Bill 80 with the consent of the sponsor and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

8-0?

SENATOR COLLINS:

Yeah, 80.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR COLLINS:

1-8-0. 180.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House Bill?

SENATOR COLLINS:

House Bill 180.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay.

SENATOR COLLINS:

And...and Senate...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins...wait a minute. Senator Collins has sought leave to be added as a hyphenated cosponsor to House Bill 180. Is leave granted? Leave is granted. So ordered. Senator Collins.

SENATOR COLLINS:

And Senate Bill 2. I thought I was on Senate Bill 2 and I find that I'm not, so I'd like to be added as hyphenated cosponsor to Senate Bill 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins seeks leave of the Body to be added as a hyphenated cosponsor of Senate Bill 2. Is leave granted? Leave is granted. So ordered. Further business to come before the Senate? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I would like to add also to House Bill 180 Senator DeAngelis as hyphenated cosponsor. And I would like to also be added to Senate Bill 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Holmberg seeks leave of the Body to be added...as a hyphenated cosponsor of Senate Bill 2. Is leave granted? Leave is granted. Senator Holmberg also seeks leave to add Senator DeAngelis as a hyphenated cosponsor of 1-8-0. Is leave granted? Leave is granted. So ordered. Senator Brookins.

SENATOR BROOKINS:

Yes, I'd like leave of the Body to be added as a hyphenated cosponsor to House Bill 1229.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Brookins seeks leave of the Body to be added as a hyphenated cosponsor to House Bill 1229. Is leave granted? Leave is granted. So ordered. Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I'd like leave to be added as a hyphenated cosponsor of Senate Bill 442.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones seeks leave of the Body to be added as a hyphenated cosponsor to...you said Senate bill, Senator? Senator Jones? Senate bill? Senate Bill 442. Is

leave granted? Leave is granted. So ordered. Further business to come before the Senate? Senator Rock moves that the Senate stand...Senator...Senator Rock moves that the Senate stand adjourned until tomorrow morning at the hour of nine o'clock. The Senate stands adjourned.



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