

85TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 25, 1987

PRESIDENT:

The hour of ten having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend James O'Shae, St. Patrick's Church, Decatur, Illinois. Father.

REVEREND JAMES O'SHAE:

(Prayer given by Reverend James O'Shae)

PRESIDENT:

Reading of the Journal, Madam Secretary. Senator Brookins.

SENATOR BROOKINS:

Yes, Mr. President, I move that the reading and approval of the Journal of Tuesday, June 16th; Wednesday, June 17th; Thursday, June 18; Friday, June 19; Monday, June 22nd; Tuesday, June 23rd and Wednesday, June 24, in year...1987, be postponed pending arrival of the printed Journal.

PRESIDENT:

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

SECRETARY:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of the following bills:

Senate Bill 400 with House Amendments 1, 4, 5 and 6.

Senate Bill 454 with House Amendments 1, 6 and 7.

Senate Bill 497 with House Amendment 1.

Senate Bill 731 with House Amendments 1 and 2.

Senate Bill 892 with House Amendment 1...2,

pardon me.

Senate Bill 1 with House Amendment 1.

Senate Bill 266 with House Amendment 1.

Senate Bill 796 with House Amendments 1 through  
8...1 and 8.

Senate Bill 848 with House Amendments 2 and 3.

Senate Bill 916 with House Amendments 2 and 3.

Senate Bill...1014 with House Amendments 1, 2,  
3 and 4.

Senate Bill 1251 with House Amendment 1.

Senate Bill 1266 with House Amendment 5.

Senate Bill 1300 with House Amendments 5, 6 and  
7.

Senate Bill 1304 with House Amendments 1 and 3.

Senate Bill 161 with House Amendments 1, 5 and  
6.

Senate Bill 242 with House Amendments...House  
Amendment 2.

Senate Bill 469 with House Amendment 1.

Senate Bill 707 with House Amendment 1.

Senate Bill 777 with House Amendment 1.

Senate Bill 832 with House Amendment 1.

Senate Bill 957 with House Amendment 2.

Senate Bill 1009 with House Amendments 1 and 3.

Senate Bill...1115 with House Amendments 1 and  
2.

Senate Bill 1155 with House Amendment 2.

Senate Bill...I mean, 1215 with House Amend-  
ments 1 and 5.

Senate Bill 1255 with House Amendments 2 and 3.

Senate Bill 1387 with House Amendment 1.

Senate Bill 1415 with House Amendment 3.

Passed the House on June 24, 1987.

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

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

House Joint Resolution 105.

And I have a like Message on House Joint Resolution 106 and they are congratulatory.

PRESIDENT:

Consent Calendar. With leave of the Body, Mr. Steve Sumner from the Joliet Herald News has requested permission to take some photographs. Without objection, leave is granted. The House Messages, Madam Secretary, will go to the Secretary's Desk. Resolutions, Madam Secretary.

SECRETARY:

Senate Resolution 437 offered by Senators Haitland and others.

Senate Resolution 438 offered by Senator Carroll.

Senate Resolution 439 offered by Senator Keats.

Senate Resolution 440 offered by Senator Smith, President Rock and all members.

Senate Resolution 441 offered by Senator Savickas.

Senate Resolution 442 offered by Senator Severns.

Senate Resolution 443 offered by Senator Severns.

Senate Resolution 444 offered by Senator Severns.

Senate Resolution 445 offered by Senator Severns.

Senate Resolution 446 offered by Senator Severns.

Senate Resolution 447 offered by Senator Severns.

Senate Resolution 448 offered by Senator Severns.

Senate Resolution 449 offered by Senators Demuzio, President Rock and all members.

Senate Joint Resolution 76 offered by Senator Davidson and all Senators.

And they're all congratulatory.

PRESIDENT:

Consent Calendar. If I can have the attention of the membership, we have with us today some special guests...have with us today some special guests and I would like Senator Severns to be kind enough to introduce them.

SENATOR SEVERNS:

Thank you, Mr. President and members of the Senate. We're honored to have with us today three members of the Ecuadorean Congress to join us who first visited Washington and wanted to have the honor of visiting a state legislator and were gracious enough to come to Illinois to visit us. The three members of Congress, and I wish I had Miguel up here to help, are Congressman Andrade, Congressman del Gado and Congressman Pazmino, who would also like to say a couple of words. Thank you.

CONGRESSMAN PAZMINO:

(Remarks made by Congressman Pazmino)

PRESIDENT:

Senator Watson, for what purpose do you arise?

SENATOR WATSON:

A point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR WATSON:

Thank you, Mr. President. Just an update on my court reporter friends. We passed out of here on May 22nd, Senate Bill 1005 which increased the salary for court reporters by two thousand dollars, the maximum...the maximum salary from thirty-seven thousand two hundred and fifty dollars to thirty-nine thousand two hundred and fifty dollars, all of which, of course, is state funds, and out of the six hundred and twenty-five full-time court reporters in this state, five hundred and ninety of those court reporters are at that maximum salary. So, you know, I continually ask for someone to come and tell me what justification that we...we have to pay



these people this kind of a salary, and I...I'd like to know...and it was passed out of here with thirty votes...is all it had was thirty votes, and I would just appreciate somebody who's got some knowledge about court reporters to just come and tell me why we should pay them this kind of a salary and what kind of a training they have and...and then maybe I'll shut up about it, but until that particular point, I'd like to have a little bit more knowledge about their work. Thank you.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. Senator Watson,...the bill was on the Calendar. It passed out. You had ample time as a...a elected member of this Body to raise those questions...concerning that legislation. If you are desirous in doing so off the record, you can gladly come over to my...my desk and I'll tell you how great the court reporters are.

PRESIDENT:

Ladies and gentlemen, today is the deadline for appropriation bills in the Senate. So, my suggestion is we will begin at page 4 on the Calendar and go through the Calendar once for the...to pick up all the appropriation bills and then we will begin again on the Order of House Bills 3rd Reading where we left off yesterday which was with Senator Degnan's 1706, middle of page 9. So, we will go through once for the appropriation bills, those members who wish to call them. We will begin with the House appropriation bills on the Order of 3rd Reading, the middle of page 4, is House Bill 109. Read the bill, Madam Secretary.

SECRETARY:

House Bill 109.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, this is the annual Metropolitan Fair and Exposition Authority appropriation, and I would move its passage.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall House Bill 109 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 4 Nays, 1 voting Present. House Bill 109 having received the required constitutional majority is declared passed. Middle of page 5, 451, Senator Carroll. On the Order of House Bills 3rd Reading is House Bill 451. Read the bill.

SECRETARY:

House Bill 451.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the appropriation and reappropriation of the Build Illinois Program without new projects. There were some language adjustments in the reapprop. and no new projects added. I would ask for a favorable roll call.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 451 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 3

Nays, 2 voting Present. House Bill 451 having received the required constitutional majority is declared passed. 482. With leave of the Body, Senator Carroll, you'll handle that for me? On the Order of House Bills 3rd Reading is House Bill 482. Read the bill, Madam Secretary.

SECRETARY:

House Bill 482.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate...House Bill 482 in its current form is a little over a billion dollars for the State Board of Education's operations and grants. It is at the nontax increase level and I would ask for a favorable roll call.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 482 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 482 having received the required constitutional majority is declared passed. 484, Senator Haitland. On the Order of House Bills 3rd Reading is House Bill 484. Read the bill, Madam Secretary.

SECRETARY:

House Bill 484.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Haitland.

SENATOR HAITLAND:

AB 483  
3rd Reading

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This takes out the effective date. I'm sorry, Mr. President. This...this...this bill is at...at three hundred million six hundred and ninety-eight thousand five hundred dollars, Mr. President.

PRESIDENT:

Question is, shall House Bill 484 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 Ayes, no Nays, none voting Present. House Bill 484 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 483, Senator Berman. Read the bill, Madam Secretary.

SECRETARY:

House Bill 483.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This is the appropriation for General State Aid. It is at 1.3 billion dollars, approximately...the same level as last year. There's an amendment so that it stays alive until the closing days. I move...for passage of House Bill 483.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 483 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. House Bill 483 having received the required constitutional majority is declared passed.

699, Senator Hall. Top of page 6, 710. 761, Senator Etheredge. On the Order of...770, Senator Weaver. On the Order of House Bills 3rd Reading is House Bill 770. Read the bill.

SECRETARY:

House Bill 770.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is the operations of the Department of Energy and Natural Resources. Current level is a hundred and three million three hundred and eighty-four thousand six hundred and nine dollars and I'd move its approval..I had the wrong...770 is the one. I read 777, I'm...apologize. This is at a level of a hundred and fifty-seven thousand a hundred and seventy-eight thousand dollars...a hundred and fifty-seven million a hundred and seventy-eight thousand dollars OCE for the State Police.

PRESIDENT:

Question is, shall House Bill 770 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, 1 voting Present. House Bill 770 having received the required constitutional majority is declared passed. 771, Senator Hawkinson. On the Order of House bills 3rd Reading is House Bill 771. Read the bill, Madam Secretary.

SECRETARY:

House Bill 771.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Mr. President, I'd like to take this out of the record at this time, if we could have leave to get back to it later in the day.

PRESIDENT:

Take it out of the record. 773, Senator Watson. On the Order of House Bills 3rd Reading is House Bill 773. Read the bill, Madam Secretary.

SECRETARY:

House Bill 773.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the Illinois Commerce Commission's budget. The current level of funding is fifteen million seven hundred and eighty thousand seven hundred and seventeen dollars. I'd move for its adoption.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 773 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 773 having received the required constitutional majority is declared passed. 776, Senator Donahue. On the Order of House Bills 3rd Reading is House Bill 776. Read the bill, Madam Secretary.

SECRETARY:

House Bill 776.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the Department of Veterans' Affairs and the amount is at twenty-eight million four hundred and ninety-two thousand dollars, and it is higher than the House passed it. I would move for its passage.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 776 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, 1 voting Present. House Bill 776 having received the required constitutional majority is declared passed. 777. On the Order of House Bills 3rd Reading is House Bill 777. Read the bill, Madam Secretary.

SECRETARY:

House Bill 777.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is the OCE for the energy and natural resources at a level of a hundred and two million three hundred and six-eight thousand five hundred and I move...

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 777 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who

wish? Have all voted who wish? Have all voted who wish?  
Take the record. On that question, there are 54 Ayes, no  
Nays, none voting Present. House Bill 777 having received  
the required constitutional majority is declared passed.  
778, Senator Mahar. On the Order of House bills 3rd Reading,  
bottom of page 6, is House Bill 778. Read the bill, Madam  
Secretary.

SECRETARY:

House Bill 778.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. This is the annual  
appropriation for the Department of Central Management  
Services to the tune of six hundred and twenty million one  
hundred and ninety-four thousand nine hundred dollars and I  
move its adoption.

PRESIDENT:

Discussion? Any discussion? If not, the question is,  
shall House Bill 778 pass. Those in favor will vote Aye.  
Opposed vote Nay. The voting is open. Have all voted who  
wish? Have all voted who wish? Have all voted who wish?  
Take the record. On that question, there are 56 Ayes, no  
Nays, none voting Present. House Bill 778 having received  
the required constitutional majority is declared passed. Top  
of page 7, Senator Maitland. On the Order of House Bills 3rd  
Reading is House Bill 782. Read the bill, Madam Secretary.

SECRETARY:

House Bill 782.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:



Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. This is the annual OCE for the Department on Aging. It is currently at a level of a hundred and thirty-three million thirty-seven thousand dollars, which is some 2.7 million under the introduced level.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 782 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 782 having received the required constitutional majority is declared passed. Senator Schaffer, on the Order of House Bills 3rd Reading is House Bill 783. Read the bill, Madam Secretary.

SECRETARY:

House Bill 783.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is the budget of the Department of Mental Health, seven hundred and four million dollars including the amendment we put on yesterday, still approximately two million dollars below the introduced level.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 783 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no

Nays, none voting Present. House Bill 783 having received the required constitutional majority is declared passed. 784. On the Order of House Bills 3rd Reading is House Bill 784. Read the bill, Madam Secretary.

SECRETARY:

House Bill 784.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Okay. Excuse me, Mr. President. This is the Department of Commerce and Community Affairs at the five hundred and seventeen million dollar level, below the introduced level which is approximately five hundred and twenty-six million.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 784 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, 1 voting Present. House Bill 784 having received the required constitutional majority is declared passed. 789, Senator Dunn. On the Order of House Bills 3rd Reading is House Bill 739. Read the bill, Madam Secretary.

SECRETARY:

House Bill 789.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President and members of the Senate. This...789 has now been restored to...as introduced, as I

understand, it's four hundred and forty-nine million three hundred and ninety thousand eight hundred dollars, I believe. I move its passage.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 789 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 789 having received the required constitutional majority is declared passed. 791, Senator Donahue. On the Order of House Bills 3rd Reading is House Bill 791. Read the bill, Madam Secretary.

SECRETARY:

House Bill 791.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. This is the OCE for the Department of Agriculture. The current level is at sixty-two million five hundred and three thousand dollars. I might add that I still think this budget has a little bit of problems and I hope we can work them out as it goes through the process. I would hope...

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 791 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 791 having received the required constitutional majority is declared passed.

Senator Maitland, on the Order of House Bills 3rd Reading is House Bill 792. Read the bill, Madam Secretary.

SECRETARY:

House Bill 792.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. This is the OCE of the Department of Public Health. Its current level is two hundred and eighteen million dollars. That's exactly the same as it was when it left the House. It is approximately 6.6 million dollars below the introduced level.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 792 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 792 having received the required constitutional majority is declared passed. Senator Dudycz, on the Order of House Bills 3rd Reading is House Bill 793. Read the bill, Madam Secretary.

SECRETARY:

House Bill 793.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. House Bill 793 appropriates seven million eight hundred and two thousand seven hundred dollars for the ordinary and contingent expenses for the

Police Training Board.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 793 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 793 having received the required constitutional majority is declared passed. 960 is a hold, I take it. Middle of page 8. 1202 is a hold. Middle of page 9. 1685 is a hold. Middle of page 10. 1897. On the Order of House Bills 3rd Reading is House Bill 1897. Read the bill, Madam Secretary.

SECRETARY:

House Bill 1897.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the ordinary and contingent expenses of the Office of the State Treasurer including certain interest payments, et cetera. It is approximately five hundred and twenty-two million dollars, some three million under the request. I would ask for a favorable roll call.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall House Bill 1897 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1897 having received the required constitutional majority is declared passed. Top of page 12.

On the Order of House Bills 3rd Reading is House Bill 2048.  
Read the bill, Madam Secretary.

SECRETARY:

House Bill 2048.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

With leave of the Body, Senator Carroll will handle these. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2048 is a little over ten million dollars for the OCE of the legislative...excuse me, agencies. It is at the FY '87 spending level as are all agencies of State Government. I would ask for a favorable roll call.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall House Bill 2048 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, 1 voting Present. House Bill 2048 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 2049. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2049.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2049 is the operations of this General

Assembly, some nineteen million thirty-two thousand at the Fiscal '87 appropriation level, and I would ask for a favorable roll call.

PRESIDENT:

Discussion? Discussion? If not, the question is, House...shall House Bill 2049 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, 1 voting Present. House Bill 2049 having received the required constitutional majority, declared passed. 2050. On the Order of House Bills 3rd Reading is House Bill 2050. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2050.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and members of the Senate. House Bill 2050 is just slightly under ten million dollars. It is for the district office expenses for the...each Senator and each House member at the current statutory level including the level of the legislation that is pending for the administrative assistant. I would ask for a favorable roll call.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall House Bill 2050 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 Ayes, 16 Nays, 5 voting Present. House Bill 2050 having received the required

constitutional majority is declared passed. 2075. On the Order of House Bills 3rd Reading, middle of page 12, is House Bill 2075. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2075.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a transfer from the General Revenue Fund to the Agriculture Premium Fund to fund the fund of five million dollars and I would ask for a favorable roll call.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 2075 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 2075 having received the required constitutional majority is declared passed. Top of page 17, House...on the Order of House Bills 3rd Reading is House Bill 2756. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2756.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is an appropriation vehicle bill that we would like to get back to the House with the Senate amendments so



it can be...sitting over there necessary for future action. I would ask for a favorable roll call. There is...it's an eighteen dollar appropriation.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall House Bill 2756 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 2756 having received the required constitutional majority is declared passed. All right, we'll begin again then on page 9 where we left off yesterday. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

A point of personal privilege and not about court reporters.

PRESIDENT:

State your point, sir.

SENATOR WATSON:

Okay. I'd like to take this opportunity to introduce Eda Algrin who is from Denmark who's visiting Algrin and JoAnn Anderson who are from Greenville and who manage the drug-store, Watson's Drugstore, and it allows me to come up here and do what I have to do for the people in my district, but Eda is here visiting this summer and I'd like to take this opportunity to introduce her, and she's standing here with me now, and Algrin is in the Republican side over here, and I'd appreciate it if they'd stand and we'd welcome them to Springfield.

PRESIDENT:

Welcome to Springfield. Welcome. Senator Severns, for what purpose do you arise?

SENATOR SEVERNS:

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

Point of personal privilege.

PRESIDENT:

State your point.

SENATOR SEVERNS:

I'd like to introduce Chuck Keepler and part of the...Caterpillar management team who came over today from Decatur, who is sitting in the visitors gallery at the rear.

PRESIDENT:

Will our guest in the gallery please rise and be recognized. Welcome. Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

Yes, on a point of personal privilege. I...I suspect Senator Watson neglected to mention that the...the young lady is...I suspect, is residing in my district in Greenville, and welcome to the Senate.

PRESIDENT:

Senator Watson admits he neglected to say that, Senator Demuzio. All right, middle of page 9, ladies and gentlemen, on the Order of House Bills 3rd Reading, 1706, Senator Degnan. On the Order of House Bills 3rd Reading is House Bill 1706. Read the bill, Madam Secretary.

SECRETARY:

House Bill 1706.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President...House Bill 1706 authorizes the State's Attorney Appellate Service Commission to handle civil appeals in addition to the current criminal appeals for all counties except Cook when requested by a county State's Attorney. In addition, it authorizes the agency to assist

county attorneys at their request in the prosecution of drug cases both under the Cannabis Control and the Narcotic Profit Forfeit Act and the Illinois Controlled Substances Act. I move its passage.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 1706 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, none voting Present. House Bill 1706 having received the required constitutional majority is declared passed. 1730, Senator Dunn. On the Order of House Bills 3rd Reading is House Bill 1730. Read the bill, Madam Secretary.

SECRETARY:

House Bill 1730.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President and members of the Senate. Senate Bill 1730 is the Illinois Coal Technology Development Assistant Act. It amends it to remove the prohibition against transferring funds to the Coal Technology Development Fund when the balance reaches five million dollars. This was suggested by the Department of Energy and Natural Resources and by the United Mine Workers and it raises the cap that we can have for coal development funds. The money still has to be appropriated by the General Assembly but this gives us an opportunity to raise our fund for coal research. I'd appreciate an Aye vote.

PRESIDENT:

Discussion? Any discussion? If not, the question is,

shall House Bill 1730 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay, 2 voting Present. House Bill 1730 having received the required constitutional majority is declared passed. Senator Berman, 1736. On the Order of House Bills 3rd Reading is House Bill 1736. Read the bill.

SECRETARY:

House Bill 1736.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Could we...could I ask for leave to come back to this a little later? We're trying to get some numbers.

PRESIDENT:

Without objection, leave is granted. 1763, Senator Zito. On the Order of House Bills 3rd Reading, House Bill 1763. Read the bill.

PRESIDENT:

House Bill 1763.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. House Bill 1763 amends the Retailers Occupational Tax Act, makes mandatory the provisions relating to revocation of a certificate of registration for violations of the Act. I would move for its passage.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 1763 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 1763 having received the required constitutional majority is declared passed. 1781, Senator Keats. 1786, Senator Marovitz. On the Order of House Bills 3rd Reading is House bill 1786. Read the bill.

SECRETARY:

House Bill 1786.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 1786 creates an additional exception to the offense of eavesdropping and permits manufacturers and retailers of food and drug products to record or listen to incoming calls on their publicly listed consumer hotlines and those would have to be the...evidence would have to be destroyed within twenty-four hours. This bill has been initiated because of concerns by sellers of food and drug products of possible tampering with their products. The sellers believe that the recording would assist in the apprehension of individuals who tamper for the purpose of extortion or play mischief and then make calls to the hotline tipping people that you better watch out for your aspirin bottle or your Tylenex...Tylenol or whatever it is. We have gone over this very carefully and as long as the recording has to be destroyed or turned over to local law enforcement within twenty-four hours, we feel it's a good way at least of...of

trying to get at the...the tampering problem with food and drug products, and I solicit your Aye vote.

PRESIDENT:

Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I just wanted to compliment Senator Marovitz on the bill and say that I'm glad to see that the Legislature is slowly coming around on the important issue of wire-tapping, and I hope this...maybe it's just a foot in the door and maybe next year we can have it apply to drug crimes as well.

PRESIDENT:

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT:

He indicates he'll yield.

SENATOR HAWKINSON:

Senator, you indicated evidence had to be destroyed within twenty-four hours. I assume that's unless the evidence is one of these calls that actually threatens the crime.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

That is correct.

PRESIDENT:

Further discussion? If not, the question is, shall House Bill 1786 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, 2 voting Present. House Bill 1786 having received the required constitutional

majority is declared passed. Senator Holmberg, 1805. On the Order of House Bills 3rd Reading is House Bill 1805. Read the bill, Madam Secretary.

SECRETARY:

House Bill 1805.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1805 establishes six summertime regional mathematics and science academies to be conducted in public colleges or universities throughout the state and establishes an appointed board of trustees and specifies its powers and duties and I would advocate its passage.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 1805 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 1805 having received the required constitutional majority is declared passed. 1811, Senator Berman. On the Order of House Bills 3rd Reading, bottom of page 9, is House Bill 1811. Read the bill, Madam Secretary.

SECRETARY:

House Bill 1811.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

HB 1841  
3rd Reading

Thank you. Senate Bill...House Bill 1811 requires the Department of Mental Health and Developmental Disabilities to establish a pilot project to develop a system for the exchange of information among state agencies and other service providers concerning persons with chronic mental impairments. The amendment to the bill included the definition of...of mental illness. It is supported by D:MHDD. Solicit your Aye vote.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 1811 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1811 having received the required constitutional majority is declared passed. 1818, Senator Dunn. 1841, Senator Brookins. On the Order of House Bills 3rd Reading, top of page 10, is House Bill 1841. Read the bill.

SECRETARY:

House Bill 1841.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. This will establish an emergency homelessness for veteran project under the direction of project director appointed by the Department of Veterans' Affairs to provide assistance for homeless veterans. In the north Chicago area where the Veteran Hospital is and the veterans are released, they have no place to go and they're being found sleeping on the streets and being thrown in jail and other activities.



PRESIDENT:

Discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. We had quite a few questions about this bill in committee and we didn't really get too many answers. Originally the bill was set up so that volunteers would be staffing this program and staffing the hotline. That provision has been amended out and now, of course, we're going to have to be paying people to staff the hotline and...and...and run this program. I...I...I guess my biggest question is when we have so many programs for the homeless in the city and in the state, why we have to be now setting up one for homeless veterans? I believe the program will only take care of twelve...twelve people at a time and the cost of this program we really don't have an impact note on because the original bill, as I said, was...it was going to be done by volunteers. I do have to stand in opposition to this bill because of the cost...the unknown cost and the duplication of effort. In a year when we are looking for revenues to fund existing programs, I don't think we should be extending the programs...starting new ones and...particularly ones that duplicate existing programs that we have now. I would urge a No vote.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. To speak to the bill. At the Quincy Veterans' Home we are starting a project that deals with the homeless for veterans, and I think that through our two facilities and the four which are proposed in Anna and LaSalle, I think that that is an area on which we could do the most good and I would oppose this legislation.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? If not, Senator Brookins may close.

HB 1854  
3rd Reading

SENATOR BROOKINS:

Thank you. What about the large area? We're talking about downstate and southern Illinois. What about the northern end of the state where the veterans are? Number two, we do have the cost. Number one, it was...it will be still semi-volunteer but the cost of it is estimated at four hundred and ten...four hundred thousand dollars. In the Governor's speech, he's cutting back twenty-two percent in shelters around the City of...around the state. It is a need for this program. The expense of it is very minute and I ask and urge a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Question is, shall House Bill 1841 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 21, 1 voting Present. House Bill 1841 having received the required constitutional majority is declared passed. 1854, Senator Lechowicz. House Bills 3rd Reading is House Bill 1854, Madam Secretary.

SECRETARY:

House Bill 1854.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1854 as amended is just clean-up language to the Illinois Sports Facilities Authorities Act. We discussed it in...in...detail as far as on 2nd reading. Be more than happy to answer any questions. I strongly recommend an Aye.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Kustra.

SENATOR KUSTRA:

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

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Sponsor indicates he will yield. Senator Kustra.

SENATOR KUSTRA:

Senator Lechowicz, is there in this bill any requirement that this authority...do any public bidding for the construction of the stadium or anything else involving the stadium?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

No, there is not.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Kustra.

SENATOR KUSTRA:

Well, if...if this a...some form of a unit of local government, why wouldn't there be some kind of a public bidding requirement involved?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I...I think...if you recall, last year when that matter was discussed, they want to have a fixed price and they don't want to have the overrun situation that transpired as...as the...what happened at the State of Illinois Building or McCormick Place, and all the best advice that was given to the authority at the time was to have the option of a fixed price to prevent that from happening.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Kustra.

SENATOR KUSTRA:

Even if that is true regarding the construction of the facility, there's not even anything in here that deals with

public bidding as far as operations are concerned. I might also add that from my reading of this amendment, you've expanded the quick-take powers of the authority by allowing for the condemnation of...property which was previously exempt, allowing for the acquisition of...of additional sites. I...I don't know how many people that affects but it seems there's a lot...a lot of implications to this. I...I guess what troubles me the most about this approach is that we, last year, ramrodded through the General Assembly this White Sox Stadium Authority, and then six months later start talking about how we need some kind of a multipurpose stadium. There is no feasibility study yet issued on the need for a multipurpose stadium. We have one group of people trying to build a White Sox Stadium, another group trying to deal with a multipurpose stadium and apparently no coordination whatsoever. You're moving down one track and the other folks are moving down another track. I was against the White Sox Stadium Authority back then, I'm against it now but for even better reasons, because if we're going to take seriously some multipurpose stadium, what are we doing building another stadium a few blocks away? It doesn't make any sense that the State of Illinois is going to indebt its taxpayers to a program like this. We ought to slow down, take our time and look this over. There's a lot in this amendment that I think the members ought to take a look at before they put a green light upon that board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. I would just like to say I concur in the thoughts of Senator Kustra, and I think when we did this originally we made a mistake and I think we should take a look at this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Very briefly, following up what Senator Kustra and Senator Joyce said. If you remember, this bill when it was passed last fall was probably the best example you've ever seen of something that was specifically hidden from public notice. There were never public hearings in Chicago. There were never public hearings down here. It came in at the last minute and, boom, slipped in under the table, everybody said we've got to deal. If you remember, the bill was badly flawed, had various problems, was goofed up with Congress which apparently Chairman Rostenkowski has worked some of that out. Now I'm saying, this bill...if you were to teach a citizenship class to kids and you wanted to say what bill exactly typifies what's wrong. This bill was it. The public never saw it. We basically never saw it. It was a deal behind closed doors, behind some big money people who said we can make some bucks off this. You reach a point where you have to say, even if you're for it, is it unreasonable to say that the public ought to be aware of what's happening? If you owned one of those homes that's right by the stadium and you're about to lose your house on a quick-take or however they do it, how would you like to be one of those people and say, gee, thanks for giving me the chance to talk about you kicking me out of home I've lived in for forty years. That's the one side. The second side is this private placement of bonds issue. If you've looked at any studies, competitive bid...competitive bidding on selling the bonds and private placement, man, the costs are dramatically different. Everything ought to be competitive bid. This does not say that. I would think for the good of the state, for the image of the way we handle the legislative process we ought to slow this down. I would vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in support of this clean-up language, and let me point out to you, a lot of people are portraying some sinister features to this. This is basically clean-up language and, folks, it improves the bill that was passed previously. Let me point out to you, there's been some comments made about the underhanded method and the back rooms and the other thing. I will, in fact, attest to the fact that it was done on short notice, but that does not make it underhanded, surreptitious or otherwise. I was not pleased with that process, neither was anybody else here, but to imply that there were some underhanded dealings in that I think is a little far-fetched. Let me point out something else. Somebody has made up...somebody has talked about the indebtedness of the State of Illinois and I get a little tired of hearing about that. Let me point out to you, the full faith in credit...the full faith in credit of the State of Illinois is not in this authority. That's why it is a local unit of government. Now, will we have a potential liability? Yes, we could, and that potential liability will come if we don't write a good enough bill. It will come because there is a shortfall in our revenue stream which is, number one, the motel/hotel tax which will generate about seven and a half million. There's a four million dollar payment by the White Sox to that authority, and then there's a contribution of the state and the city together as a backup for that and that money is to be refunded annually if it isn't needed; and I want to tell you, the stronger we make that authority and the more authority we give him, the less likely we are to have to tap that fund because the salability of those bonds is going to determine the interest rate and the lower the interest rate, the less likely we are to have to provide that shortfall. So, let's not shoot ourselves in

the foot...for those of you who oppose the stadium, fine, but don't turn around and kill something that improves the ability of that authority to stand on its own feet. You want to vote No, fine, but don't add any other motives. I want to share with you one other thing though. I had the opportunity to have lunch with George Steinbrenner not too long ago who bought a track in my district and I said to him, I said, Mr. Steinbrenner,...okay,...I said, what do you pay for rent?...he stated, he said, you know, I don't think we pay anything. I said, now wait a minute. What do you mean you don't pay anything? He said, well, we got this deal when the city bought it in '72 that we pay a percentage of the gate and then they reimburse us for every improvement we make and every maintenance part of that stadium, and he said, I got to tell you, we got the best kept stadium in the world. Ladies and gentlemen, the White Sox are going to pay four million dollars. I don't know of any group that's going to be paying more than that, but let's...let's keep this thing in perspective. This language makes it less likely that the State of Illinois will have to contribute anything. So, whether you're for the stadium or not, I urge your support for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

All right, further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I...I walked in a little late on the discussion, and the reason I walked in a little late is I was meeting downstairs with a group of people who are going to be displaced by this stadium and I have some real concerns about the sensitivity of those who are going about doing what we're just doing today. If I understand correctly,...may I ask the sponsor a question? Does this increase the quick-take powers?

PRESIDING OFFICER: (SENATOR DEMUZIIO)

All right, can we have some order, please? Senator Lechowicz.

SENATOR LECHOWICZ:

Senator Newhouse, this is White Sox stadium. The people that came today are in opposition to the westside stadium for...for the Bears. Okay? So, this is strictly White Sox. This is clean-up language from last year. And to answer your question specifically, no, it does not.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

It does not increase quick-take power?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

No, sir, it does not.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, further discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Sponsor indicates he will yield. Senator Watson.

SENATOR WATSON:

Who pays for the authority and...well, that's the first question, who pays for the authority?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

No...thank you, Mr. President. There is no appropriation nor is there any appropriation needed at this time.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Watson.

SENATOR WATSON:



Well, will there be?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

No.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Watson.

SENATOR WATSON:

Then who pays? That's...I'd just like to know who pays for...for the funding of the authority.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

It's an...it's uncompensated state officers.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Watson.

SENATOR WATSON:

Well, if it's going to have a staff and offices and...now there's got to be some expenses of the authority. Who's going to pay?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

That would come under the bond proceeds...sale of the bonds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

What would we use to tie you over until those bonds are issued?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

They don't anticipate any expenses in that area.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Watson.

SENATOR WATSON:

What about the lawyers that are going to be used to...to draft up the bonds and...who's going to pay them?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

As normally, it's...it's included in the cost of the issuance of the bonds.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Watson.

SENATOR WATSON:

Well, I've just got a feeling we'll see a supplemental appropriation sometime this fall to fund the...this authority. I got another question in regard to the...Federal Tax Reform Act of 1986 which prohibits the issuance of tax exempt bonds for the construction of a stadium. Since we're really unsure if the Federal Government is going to clean up this particular language, how do we know that there won't be more of an increased cost for those bonds since they won't be tax exempt? And then who and...and how much will the state be responsible for at that particular time?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

If you recall, initially when the White Sox were excluded, they were excluded for the area in Addison, Illinois. The bone of contention was when the location was changed from Addison back to Chicago. Congressman Rostenkowski has now provided the necessary language with the assurance to the Governor and the other members of Congress that that specific question will be addressed to the advantage of the people of Illinois and the provisions that were

provided in Addison, Illinois will now be granted for the site in Chicago.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Watson.

SENATOR WATSON:

Well, I believe the...the answer then is, I don't know. I believe that's the answer that I just heard. I...just to this...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, Senator Lechowicz.

SENATOR LECHOWICZ:

That is not the answer I just gave you, and if you want to call Danny, call him at area code 312-AR6-6000. I talked to him. Okay? Don't tell me what...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Watson.

SENATOR WATSON:

There...there's no guarantee. We can put that in...I can file a bill tomorrow. There's no guarantee that it's going to get through the process; I mean, that's...that's what I'm saying, Senator, and that's the problem that I have is there's no guarantee. The answer is simply we don't know at this particular time, and I understand what you're saying, you've got the guarantees and the...from...from those individuals but it's got to go through the process first. I...I just have a...a real problem with this whole concept...and I know that many stadiums are being built throughout this country without state support. Many of them are just...simply private funds and I have no problems with...with a tax...if you want to put a tax on the hotels/motels, the...the restaurant industry, the beverages or whatever you want to do in the City of Chicago because that's where the benefit is going to occur, but I think it's not...appropriate at this time to ask the entire state to

subsidize the building of this particular stadium; and I was in Chicago a...a couple of weeks ago and I sat in on the hearing on the...on the Bear's stadium and there's a lot of concern about that, but I think that for us to build a forty-five thousand capacity stadium now for the White Sox is...is irresponsible. I think common sense tells us we ought to roll back, hold it up and let's talk about a...maybe a multipurpose stadium including the Bears and...and get a stadium in which that everyone would be satisfied. I think this is a wrong direction to take and I especially think it's the wrong direction to ask the taxpayers of this state in its entirety to...to subsidize a funding of a project which is...going to only benefit one particular area. Thank you.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right, further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I hope that all of my fellow Senators listened to what Senator DeAngelis was saying. You may or may not have liked the original legislation that passed. As this bill came before our committee, it was certainly my understanding and the understanding of most of the other members of the committee that this was merely clean-up language that should have been included in the first...package that was...in the first piece of legislation that was put before this Body...my understanding was that this was...these amendments and this...what was done to this bill was merely clean-up language that should have been done originally and it...if you don't like the bill, you might consider that it makes a bad bill better.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? Senator Severns.

SENATOR SEVERNS:

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

PRESIDING OFFICER: (SENATOR DEHUZIO)

Sponsor indicates he will yield. Senator Severns.

SENATOR SEVERNS:

It's my understanding from reading the analysis but not necessarily my understanding from listening to some of the comments that this legislation carries with it no appropriation. Is that correct?

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

That is absolutely correct, ma'am.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right, further discussion? Senator Donahue.

SENATOR DONAHUE:

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

PRESIDING OFFICER: (SENATOR DEHUZIO)

Indicates he will yield. Senator Donahue.

SENATOR DONAHUE:

I get nervous when I see eminent domain, Senator Lechowicz, and...and just a question. By...you have inserted January 1st,...1987 on page 9. That's a...back dating it. It would appear that you've kind of expanded the powers of eminent domain.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

No, ma'am. Basically, that eminent domain cannot be used against property which on January 1, 1987 was public property or a church. That prevents anyone from forming a new...a church and trying to hold up the authority. Basically, just a protective device protecting the people that presently are there and, hopefully, that the authority can function in a proper manner.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson.

SENATOR HUDSON:

Yes, thank you, Mr. President and Ladies and Gentlemen of the House. Maybe...or Senate, I'm...sorry. Maybe a point that is obvious but may...has not been discussed and that is that I think we have to remember, unless I'm...something here I don't understand, Ted, this is final action on this particular proposal, is it not? The original bill, regardless of how we voted, Yes or No, was amended and now we're back and this is final action on this proposal which would include building of the stadium, and those that have strong feelings one way or the another, I think, should keep that in mind.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? All right, Senator Jeremiah Joyce, for a second time. Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, I...I wish that I...I probably wish I hadn't even gotten up on this thing in the first place, but now that I am...have gotten into it, I'm not going to sit by and listen to all those revisionist version of the history of all this. I mean,...my recollection of this is that there were three groups and this was all part of one deal. There was the...the group that was tied in with the track, Arlington and Duchossois and all that. There was the group that was tied in with the two hustlers from Chicago, the White Sox group, and there was the group that was tied into the off-track deal in Balmoral and the sale of that race track subsequent to the...or awaiting the off-track deal and that was...till this day, I didn't know that was the group that you were in, although, but...apparently, given the luncheon date...to stand up and suggest that this Body should...should take any lead from George Steinbrenner is an insult to this Body. I mean, that guy...wasn't he convicted for...making

illegal campaign contributions? You know, maybe...maybe he's got a different...maybe...maybe he can give you the reason why he doesn't have to pay anything there, but to suggest that we listen to Steindrenner, that's a bad joke.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? Senator DeAngelis, for a second time.

SENATOR DeANGELIS:

Well, if my version is revisionist, your's is mythical; in fact, if you would check the roll calls on all three of those issues, you would find some really interesting differences in those roll calls, and I take it as a personal affront that you even suggest at all. I happen to think the stadium is a good idea. I happen to represent the south suburbs. A lot of my people will work building that stadium, and I want to tell you something, the initial proposal, for those of you who seem to be so cost conscious, the initial proposal that DuPage County would have cost the state sixty-five million dollars up front...up front. Okay? Now let me point out to you, I've...and, Senator Watson,...respect the fact that you like correctness, but I would like to correct you on one thing. There is no subsidy. There is a potential subsidy if you want to be exact and the reason being...let me...hear this out, the reason being, if you went to the bank and you wanted to borrow against your house, they'll never lend you a hundred percent against your house. The money that the state and the City of Chicago have put in is a backup to the amount of monies that are available. There's eleven and a half million dollars available. It's a hundred and twenty million dollar project max. Now the shortfall would have to be paid by the state, but let me tell you, and I want to point out again, if you want to, in fact, ensure the state not to have to pay that, then don't vote No on this because this makes that subsidy less likely. If you want to

vote against Cominsky Park, Senator Hudson,...this is not final passage, we've created the authority, this is cleanup on that authority. The authority will continue whether this bill passes or not. It will continue in a crippled fashion. It might make it difficult to sell the bonds. If they do sell the bonds, they'll probably have to pay a higher rate; if they pay a higher rate, we'll probably have to go into that subsidy, that's what this bill does and nothing more.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Degnan.

SENATOR DEGNAN:

Well, thank you, Mr. President. I rise in support of House Bill 1854 and much of what we've heard here we heard earlier or...or late last year as it was when the Illinois Sports Stadium...Sports Facilities Authority was enacted into law. This is clean-up language. There's nothing new in this...in this language. We still have a Sox Park. The reason for this language is when we have a major project that requires bonding, time and time again, we come back with clean-up language. That's what this is and I stand in favor of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, just very briefly. This Body last year went through a...a lot of machinations regarding this particular piece of legislation. The owners of that team and their executives came down here and worked with the legislative leaders, worked with the legislative Body and worked with the Senators from that area and the Representatives from that area regarding every piece of property around that community. I heard some mention of...of linking with the race track. Mr. Duchossois also came down here and worked very hard with the Legislature, and after a lot of discussion, we made commit-



ments to Mr. Duchossois and the race track people and we made commitments to the White Sox people. I think it's really a travesty to sit here and...and begin to take a look at going back on our word, going back on our commitments that we made advisedly with the...with the agreement of the legislators from those area and all legislative leaders. I think we should hold by our commitment. It was a good deal then, it's a good deal now and I would solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Further discussion? If not, Senator Lechowicz may close.  
SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Let me just very quickly maybe rekindle some of the thoughts that were...that transpired when the original legislation was proposed. At the time...the White Sox were talking about possibly moving out of the state and possibly going to a...a different state in the nation. After long discussions...a lot of people, including government, there was...designated an area supposedly in Addison, Illinois for the location of the new White Sox stadium because the people in that community to...by referendum, Ben Poling stated that they really didn't care for the White Sox to be located in Addison, Illinois, there was then made a decision that the existing community on the southwest side of the City of Chicago welcomed the idea of the renewal of that community and its commitment of longstanding with the Chicago White Sox. That provision...that provision, if you recall, was part of the Illinois Sports Facilities Authorities Act which provided the necessary impetus of state help...of self help so that the White Sox would remain in Chicago. What this bill does as amended, it does a few items and let me just be quite specific so there's no question exactly what's in this amendment. It provides that all home games are to be played in the new stadium. It provides that a stadium club need not

have view of the field. That the authority is a unit of local government and that was...amplified the reason for that. That the Governor can make recess appointments and members can serve consecutive terms. That the authority can provide insurance against risk and hazards, provides for a minimum seven thousand parking spaces rather than the eight thousand which was provided because at the...Addison site is a larger location. That the...territory of...of the authority is coterminous with the City of Chicago. That eminent domain can be used against property which on January 1, 1987, was public property or church that...that this stadium can have lights, which they presently have, and may...and provides various technical changes to satisfy Bond Counsel requirements. And to answer Senator Hudson's comment, this is an amendment which will have to be ratified in the House, so this is not...is final passage in the Senate, but it's not final passage on the bill per se. There is absolutely nothing else in this amendment and if you recall...if it was good at that time, this amendment should be...be adopted today.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Well, the question is, shall House Bill 1854 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 26, none voting Present. House Bill 1854 having received the required constitutional majority is declared passed. Senator Watson, for what purpose do you arise?

END OF REEL

REEL #2

SENATOR WATSON:

I'd like a verification, please.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, Senator Watson has requested a verification. Will all members be in their seats. The Secretary will read those who voted in the affirmative. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Alexander, Barkhausen, Derman, Brookins, Carroll, Collins, Davidson, DeAngelis, Degnan, del Valle, Ralph Dunn, Geo-Karis, Hall, Jones, Kelly, Lechowicz, Macdonald, Madigan, Marovitz, Netsch, Newhouse, Philip, Rigney, Savickas, Schaffer, Smith, Vadalabene, Weaver, Woodyard, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

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

SENATOR WATSON:

Ralph Dunn.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Is Senator Ralph Dunn...Senator Ralph Dunn on the floor? Senator Ralph Dunn. Strike his name.

SENATOR WATSON:

Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Zito is at the back of the Democratic side.

SENATOR WATSON:

Savickas.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Savickas is in his seat.

SENATOR WATSON:

HB 1867  
3rd Reading

Brookins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins on the Floor? In the aisle.

SENATOR WATSON:

I see him. Thank you. Harovitz is there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn has...Senator Dunn has returned to the Chamber. Restore his name. Senator Watson, do you question the presence of any additional member?

SENATOR WATSON:

No and thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, on the verified roll call, there are 31 Ayes, 26 Nays, none voting Present. House Bill 1854 having received the required constitutional majority is declared passed. 1856, Senator Lechowicz. 1859, Senator Luft. 1864,...Senator Savickas. 1864? I'm sorry, 1867. I beg your pardon. All right, House bills 3rd reading is House Bill 1867, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1867.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, Mr. President and members of the Senate, House Bill 1867 in its amended form...really does three things now. It amends the Environmental Protection Act to direct the board to hold hearings and establish rules concerning the height and operating management practice of sanitary landfills. It...Amendment No. 2 would require the PCB to adapt...adopt identical rules and regulations as the Federal rules with regards to Safe Drinking Water Act. And the third amendment

would limit the local fees for disposal of solid waste to forty-five cents a cubic yard and it limits other local fees for disposal of solid waste to the state fee schedule. There's been a lot of concern and...about the limitation of the fees. At the present time, no counties or local units that are imposing this fee have reached that limit. DuPage County at one time was charging seventy cents for Chicago garbage. Chicago, in a prudent manner, reluctantly does not send any more garbage out there because of this cost. This is a...a concern evidently that's going to be with us and is not going away. My...my suggestion is that we pass this bill back to the House, get it in a Conference Committee. Any of these fee structures that may be worked out can be worked out, I am sure, but it's not a...I don't think this is an issue that we should just try to hide...and not support. We...we have a serious concern both in Chicago and Cook County and it's...it's spreading out into DuPage, Kane and other counties, and I think this...this legislation should be kept alive so that we can try to solve this problem. I would move its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? UPI would like permission to take still...photographs. Is leave granted? Leave is granted. Discussion? Senator Karpziel. All right, Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I certainly...would agree with Senator Savickas. It is a...a gigantic problem in DuPage County. Quite frankly, we're running out of landfill space. I'm not sure that forty-five cents a yard is the right price. I'm not sure what it should be, but I like the idea getting into Conference Committee and sitting down with the City of Chicago and try to work out a reasonable price and so I would certainly concur with Senator Savickas.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Just for the record and to clarify the record, Senator Savickas, our records show that you Tabled Amendment No. 2. Is that correct?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, I'm sorry, it was Amendment...Amendment No. 2 was Tabled. Amendment No. 1 would restore the original provisions relating to the adoption of Federal rules and regulations, and that was a JCAR amendment. They were both JCAR amendments, the one was Tabled and the one was kept on.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? Senator...Senator Karpiel, do you wish to be recognized? Senator Karpiel.

SENATOR KARPIEL:

Well, I just had a question. Senator Savickas, does this bill affect counties or all units of local government?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Savickas.

SENATOR SAVICKAS:

It would affect all local governmental units that charge fees.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Is this the bill that takes away from the local governments the right to say we don't want them?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Savickas.

SENATOR SAVICKAS:

No, Senator, it does not. It just deals with the imposi-

tion of fees when accepting solid waste from anybody. At the present time, there's a forty-five cents a cubic yard that the state charges as a passthrough and everybody pays this to the state, and this would limit that fee structure to what local governments can charge.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, it seems to me that...from what I read of this thing...I'm not...I'm not satisfied, Senator, that you are not taking away local control and that is very, very crucial to me. I think local government should have a right to say what's going to come in, and what's not going to come in and...I don't know, I just feel that somewhere...I don't have the bill in front of me but I...it seems to me I saw something in it which in nice shaded language allows the Pollution Control Board, EPA to preempt local governments on it and I don't think that's right.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Zito.

SENATOR ZITO:

Yes,...thank you, Mr. President and members. When this bill was on 2nd Reading there was quite a bit of confusion and I think it's a very straightforward piece of legislation and a good piece of legislation. What it's saying in essence, Senator Geo-Karis, has nothing to do with local control or preemptive measures of local control. It's saying that the local unit of government can charge up to the state's limit of forty-five cents. That has nothing to do with preemption, it just sets the standard; the state charges forty-five cents, it allows units of local government to charge up to that maximum of forty-five cents. I see no other problems with the legislation and would stand in strong support.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, through no fault of Senator Savickas or anyone in this Chamber, this appears to be the consolidation of, if I interpret the analysis here, about twenty bills. Some of them sound real good to me, some of them I really wonder what the implications of them are. I don't...well, my gut instincts tells me that if we had debated all twenty of these bills, a couple of them probably wouldn't have made it out of committee, probably wouldn't make it through the process on the Floor. A couple of them appear to be gutting or restricting the...the legislation we passed last year on landfills and seem to be moving...and if I read the brief analysis we have here, moving in the direction of removing local control. Now, we all understand that many of our municipalities and counties would like to get out of the landfill business but are politically astute enough not to say that in public 'cause they don't like the heat, they like to pass it on down to us so that when they are forced to take a landfill, they can say, well, that's because you passed House bill 1865 and item 16 on that little smorgasbord of bills took away our control and, therefore, it is the fault of the state legislators. I am nervous about this whole process of twenty bills being jammed into one package with limited debate in committee, limited debate on the Floor. Frankly, my instinct on this legislation, in all deference to the...sponsor, it was certainly not his fault as...I can defend a No vote a lot better than I can defend a Yes vote on this type of a process.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

One quick question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZZIO)



Indicates he will yield. Senator Keats.

SENATOR KEATS:

Okay, Frank, the question is, under this arrangement, right now, in terms of the fees imposed, the only one who can impose a fee is the siting entity. Like if...if Chicago sites a landfill, Chicago can tax it but Cook County can't. Does this change that at all?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Savickas.

SENATOR SAVICKAS:

No, Senator, it does not change any...any of the provisions now on siting. It doesn't remove any local control. It just says that if...if the local governments who have this authority to impose a fee, they can only impose the fee that the state already...up to those limits that the state imposes. There are...like Senator Schaffer had indicated, there were about ten bills that were put into this into the House and I think they were all Republican sponsored legislation, ninety-nine percent of them were departmental and administration concerns. This bill, obviously, because of its concern, will be going into a Conference Committee for...discussion on the fee structure, on...on the ability to impose those fees and what we can do with them.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Keats.

SENATOR KEATS:

Thank you, very much. Not having figured out everything in it, I think I figured I do have a conflict of interest in here somewhere even if I haven't found it yet. So, I'm going to vote Present. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? If not, Senator Savickas may close.

SENATOR SAVICKAS:

Yes, Mr. President, this is a serious concern, it's not

one that we can just pass over by saying, well, we're not sure if it affects us or not. We have to...we have to address this issue and we have to do it quickly, both for Chicago, Cook County, DuPage County, Kane County, any major area is having a problem and it will just continue to grow; and I would recommend that we do pass this out, get it back in the Conference Committee, try to resolve some of these issues in our major areas and, hopefully,...hopefully, do some good for our communities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1867 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 7, 12 voting Present. House Bill 1867 having received the required constitutional majority is declared passed. 1888, Senator Netsch. House bills 3rd reading is House Bill 1888, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1888.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 1888 as it has been amended is the exact duplicate of Senate Bill 102 which was the Committee on Revenue's bill dealing with the circuit breaker that the Senate passed out earlier by a vote of...I think it was 57 to 1. Very briefly. What it does, and it does only one thing, is it addresses the problem of where there are two senior citizens and there...a...an increase in social security or on a retirement benefit puts them over the household income limit of fourteen thousand dollars into

maybe a fifteen thousand dollar category. As the law currently exists, they are out as far as the senior citizen circuit breaker, pharmaceutical assistance or additional grant programs are concerned. We discovered that...although we have nothing except anecdotal evidence that apparently that is a not uncommon problem, and it seems to us quite unfair and it seems to those who are affected by it quite unfair, and so this bill addresses only that question. It says that when there are two persons in the...who are married, over sixty-five and their combined income is over fourteen thousand dollars but less than sixteen thousand dollars, they may still be eligible for the senior citizen benefit programs. I would like to say that we do not really consider this as an expansion of any of those programs. We are not adding on to any of the benefits. We look at it rather as a flaw that we have come to discover in the basic program and we feel, therefore, even in a year of no tax increase that is perfectly appropriate to address that flaw. The estimated cost that economic and fiscal has given us is 1.6 million. The Department of Revenue's estimated cost was a little bit higher but we have examined their estimate and we think that it is not accurate, that is, that...it's too high and even that was just three million. So, I think 1.6 is closer to the truth. Again, this is precisely what the Senate did earlier and if it were an expansion of program, we would probably have to sit on the bill, but I think because it really corrects a flaw in the way the program works, that it is highly defensible and I would strongly urge your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 1888 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none

voting Present. House Bill 1888 having received the required constitutional majority is declared passed. 1902, Senator Barkhausen. House bills 3rd reading is House Bill 1902, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1902.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, the...these provisions in this bill are identical to Senate Bill 1147 which we passed out earlier this Session. It does involve the modification of the living will legislation passed by the General Assembly within the last two or three years. Because we've...been through this debate before, I'll simply be happy to answer any questions and would otherwise ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 1902 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1902 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 1904, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1904.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the ability to allocate an...a legislative assistant. It's a line item now. With passage of this bill, it will be a line item within each legislator's account. It doesn't mean it has to be spent but it would be a line item which is, therefore, a specific allocation. We would follow the other major legislative states, California, Missouri, New York, Pennsylvania, Texas,...Florida and New Jersey in providing an assistant to a legislator. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? If not, the question is, shall House Bill 1904 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 27, 1 voting Present. House Bill 1904 having received the required constitutional majority is declared passed. House Bill 1908, Senator Savickas. House bills 3rd reading is House Bill 1908, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1908.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, House Bill 1908 would permit an individual tax credit equal to fifty percent of the cost of insulation against airport noise pollution. It authorizes the sale of thirty-five million in GO Bonds and it authorizes twenty-five million for grants to

school districts to insulate against noise pollution created by Chicago airports. It authorizes ten million for grants to hospitals to insulate against the noise pollution created by the Chicago airports. It's a bill that many thought was an alternate to trying to reduce air traffic at O'Hare and Midway and trying to restrict the flights of these planes by offering a solution of insulating against that noise that this may resolve that other concern about our commerce and the use of the airport during nighttime hours. I would solicit a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, like it or not, I guess I'm the designated hitter on this particular piece of legislation. I noticed, Senator Savickas, that you on...on line 29 of the first page of the bill, the definition section, merely referred to an airport as defined in Section 6 of the Illinois Aeronautics Act, and I've got that definition in front of me and I hope...everybody is going to be paying a little attention on here because this is a major piece of legislation. Airport is defined as meaning any area of land, water or both except a restricted landing area which is designed for the landing and takeoff of aircraft whether or not facilities are provided for the shelter, servicing or repair of aircraft or for receiving or discharging passengers or cargo. Now, that, I point out to you, is a rather broad definition and...Senator Savickas, if I'm wrong on this, you can correct me, but I believe under that broad definition, I'd like to have your comments on this, would that include Schultz Field in Rochelle?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Savickas.

SENATOR SAVICKAS:

Senator, I don't have the definition in front of me on Section 6, but I imagine that when you draft legislation of...of this concern and magnitude, that you look at what is the law now and what the definition is. Somewhere there...have a definition of airport; obviously, for Federal or legal reasons, that is the definition. If that is a definition, then, yes, this...if there are homes that are affected by the noise...noise pollution there in that area, they would qualify, I'm sure. If they are not affected by any noise pollution, they would not qualify. So, even though the definition of airport is one in Rochelle, they do not qualify because of a...they don't have a problem with noise pollution.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Rigney.

SENATOR RIGNEY:

Well, now...you've raised another interesting point there and, frankly, I don't see in your bill where there's any reference to the fact that any decibel level or anything dealing with noise. There's a definition of noise, but I don't think it prescribes any particular remedy for any certain noise problem.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, again, Senator, you want to use a definition of airport to your...for your purposes, there's a definition of noise...and...definition is on page 2, line 9, it says, "Noise means sound emissions which have an adverse effect on human health as determined by the Pollution Control Board in accordance with the provisions of the Environmental Protection Act." Now, I'm sure you must have those Acts in front of you to refer to since you already have the Illinois Aeronautical Act in front of you to refer to.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...excuse me, Senator Rigney.

SENATOR RIGNEY:

Well, I'd like to go on from this because...apparently, anything that would...qualify as insulation material for home comfort purposes probably would qualify under this definition for noise control. So, I assume that all forms of insulation, doors, windows, things of that kind probably would qualify, wouldn't they?

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well,...Senator, it's obvious to insulate against noise may have other benefits for the homeowner, I mean, how...all I could do is ask how you would define and accommodate this type of concern? What is your suggestion to help these people that must live in these airways and passages with this constant noise and...affecting not...their daily lives?

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Rigney.

SENATOR RIGNEY:

Well, you're just now kind of maybe coming to my main concern in the bill and, obviously, the cost impact of this, I think, is absolutely staggering because your legislation provides a fifty percent tax credit. Now, we're not talking about a deduction here. We're talking about a tax credit. You spend ten thousand dollars to insulate your home, you will get a direct tax credit, money in the bank, five thousand dollars from the State of Illinois for anyone living in and around Schultz Field or Stranski Airport in Savanna or any of these other places throughout the State of Illinois; in fact, unless I'm wrong, I don't even see a requirement that you remove the cows off the runway. So, I point out to you, if there's every a budget buster that we're going



to...you know, something that we're going initiate here for the very first time,...it's certainly embodied in this bill and I hope that everyone is going to be aware of it.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, Mr. President....

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Can we...

SENATOR WATSON:

...yes, Mr. President, thank you.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

...Senator Watson some room.

SENATOR WATSON:

This came through the Transportation Committee and several of us voted No and I...I think I should rise in opposition to this and maybe ask a few questions myself. I...I live in Bond County and I live about one-quarter mile from the airport that's in Senator Demuzio's district, and we're not really bothered by air pollution...noise pollution necessarily, a helicopter goes over every now and then on its way to Decatur, but really it's not been a big problem for us but for us to get a five thousand dollar tax credit...is...is...is a little bit more than think...that we deserve; and I...I can understand what the problem may be in...in DuPage County and maybe even in Chicago where this is really a concern, but for...for us to...to get this type of consideration, I...I think is wrong. I would like to ask the sponsor a question in regard to the distance from the airport that would be...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Savickas.

SENATOR SAVICKAS:

What is his question?

PRESIDING OFFICER: (SENATOR DEWUZIO)

Well, Senator Watson, you want to restate the question?

SENATOR WATSON:

Yes, thank you. How is...and I understand it's five miles from the airport, how is that determined? Because I know in a large metropolitan area, you're going to have to set a particular point and five miles from that area then...those people within that five miles will be eligible, but what happens to those people that are across the street that aren't...it...it...I can see problems with this, but how do you determine where this five-mile boundary is going to come from?

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, Senator, obviously, any time we...we put a...a...a number or an amount or whatever in, there has to have a beginning and ending part. Should we put in five miles plus across the street...five miles up to an alley? Senator, when we say five miles from the airport...an airport is a designated area, you can measure...and I'm sure we have people that know...either with a little wheel that go out and measure, tape measure can measure five miles...if you're against the bill, you're against restricting flow of commerce and traffic at O'Hare Field which brings billions of dollars into our state economy. You're against doing anything for the people that have to put up with that noise at O'Hare and at Midway and, yet, you don't want to do anything for them. I will tell you, Senator, that there will be a problem if we do not accommodate our constituencies in these air lane and traffic flow areas, that if we do not do something for them that they will come down here and they will restrict that flow of traffic, they will restrict the revenue that comes into our state coffers to provider all these services because

we're going to be concerned whether does this five miles go across the street, whether the definition of an airport concerns Rochelle. No, we're concerned with O'Hare Airport. We're concerned about Midway Airport that's increased in traffic and bringing increased revenues into our state. These are our concerns. How do we tell our people in our community that, yes, we support a greater influx of industry and a greater influx of money from these airports; yet, we do not want to do anything for you to comfort you with all that inconvenience. That's what this bill tries to address. We either address it in a reasonable manner or we're going to be down here trying to close those airports.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

I...I don't really think that this legislation has anything to do with...with a lot of what he said...I...the legislation that would have really helped in regard to that was killed in the Transportation Committee; in fact, we didn't even get a fair hearing on it...not even a vote was taken, so...that's the legislation that would have dealt with this, and I...I can concur that you probably have a problem in your area, but it's not a problem in Bond County and it's, obviously, not a problem in Senator Rigney's district. If you tighten the legislation up a little bit, maybe we could...maybe we could support it, but at this point, it's too broad. You...there's no place in the...in the legislation, from what I'm told, that it really defines what distance from the airport. It says five miles. Okay. Well, if that's the boundary of the airport, then that should be spelled out in the legislation. I understand that it actually isn't...another situation which we're doing is setting up a General Obligation Bond Fund of thirty-five million dollars to...to fund some insulation, I believe, for the

schools and the hospitals and...and maybe that should be done also, but, again, those bonds will be retired, from what I understand, by the State of Illinois and here we go again, asking the people of the entire state to...to benefit...do things that are just going to benefit a few, and I...I understand what you're trying to do and I can appreciate the noise pollution that those people have to endure, but I just think that this is a wrong idea and a wrong approach and we should have taken that action in Transportation Committee, Senator, that would have been a...positive answer to your problem and not this one. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. If I'm not mistaken, this is similar, maybe not identical but certainly similar to a bill which was introduced earlier in the Session, a Senate bill, and I do not recall who the Senate sponsor was. It went through the Revenue Committee and it was not permitted out of...I'm getting a signal that it was Senator Kustra who was the sponsor of that and the bill was defeated in Revenue Committee. The idea being that while noise pollution is a...a genuine concern that if we start doing either credit or deduction on income tax for...to try to address every single concern that we have in this state, we could end up with an income tax like the Federal one that compelled their so-called reform of last year, and...and most of us have fought off the effort to try to address every problem by...by proposing an income tax deduction or credit. I think, if anything, that was probably the principal reason for the defeat of that bill. This one, obviously, did not come to Revenue and so it got a different reception, but I think the principle involved is precisely the same and I really don't think we ought to start attempting to solve the problem of airport

noise pollution by authorizing...an income tax credit or...or a deduction for that matter.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. I'll tell you those crocodile tears that Senator Savickas is weeping over there about people who live around airports, that's...that's really music to my ears, Senator Savickas. I got to hand it to you. You finally got religion. The problem is that you got religion on a bill that isn't very good. I'm going to vote for it because it's the only thing left for the people around my area, and anybody who thinks that we're solving any kind of airport problem by this piece of legislation, you better take another look and you better go back to the Transportation Committee, like Senator Watson was saying before, that's where we killed all the meaningful legislation. Start with the airport authority, but go on there to the bill that would have done nothing more than prevent the City of Chicago from coming out and taking more land around O'Hare 'cause that's the next step. In case you don't know it, the next step is that sometime between now and 1995, Chicago is going to be out there condemning land and they can do that without even the permission of the corporate municipality in which that land is located. Those bills died for obvious reasons because the folks on your side of the aisle, Senator Savickas, are out there fronting for the city and you don't want to let anything meaningful happen. So, what are we left with? We're left with a piece of legislation that may somewhere, deep inside give my residents a few bucks in the way of noise relief or credit or whatever; unfortunately, you're going to give it to some folks who don't need it, but I'm not about to vote against the only last hope for people until we come back next year and we'll do that next year and

the year after until you properly address this issue which you have not done to date.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Further discussion? If not, Senator Savickas may close.

SENATOR SAVICKAS:

Yes, I would just like to point out to some of our distinguished colleagues on the other side that are concerned about if we're going to just help a constituency in northern Illinois, in Chicago and Cook County and DuPage County and Kane County, that they shouldn't support...that it doesn't help his or her district down in southern Illinois, but we supported programs for farmers, supporting counseling programs for farmers that obviously help no one in my district when they have a...you know, when they feel tense, they can go to their family counselor or...and stress. Senator, these...these programs and these airports bring money into the state that support these programs that take care of your constituency. That money does not stay in our communities. That supports the whole State of Illinois and I would think that the people in this room who...who vote for legislation for the whole State of Illinois would realize that and support those constituency that we represent as part of Illinois. I would ask your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1908 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 29, none voting Present. House Bill 1908 having received the required constitutional majority is declared passed. House Bill...Senator...Senator Rigney. You had your finger in the air. Senator Rigney.

SENATOR RIGNEY:

I think we better have a little head count.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, Senator Rigney, if I interpret that correctly, you want a verification of the affirmative roll call. All right. Senator Rigney has requested...Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Well, obviously, people are moving around. I would also request a verification of the negative. Senator, that'll give us enough time to get our people back on. If you want to go through the whole charade, we can do it.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well, I...I...I'm not sure we'll...that's necessary. If the...all members will be in their seats. The Secretary will read the members who voted in the affirmative, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, D'Arco, Degnan, del Valle, Dudycz, Fawell, Friedland, Geo-karis, Hall, Jones, Jeremiah Joyce, Keats, Kelly, Kustra, Lechowicz, Macdonald, Marovitz, Newhouse, Philip, Raica, Savickas, Schaffer, Smith, Vadalabene, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Rigney, do you question the presence of any member who voted in the affirmative?

SENATOR RIGNEY:

Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Collins on the Floor? Senator Collins on the Floor? Well, is Senator Collins on the Floor? Strike her name. Senator Rigney.

SENATOR RIGNEY:

Mr. President, if the name is struck off the roll call,

then...can they be put back on later or...after it's verified?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

If...if we are still on that order of business, yes. If we leave that order of business the answer is no.

SENATOR RIGNEY:

Well, Mr. President, I think that's maybe all that I want to challenge, but I think wouldn't it be dilatory to be counting the negative? It has no effect.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well, Senator Rigney, I never suggested...the Chair did not suggest that we would, in fact, count the negatives because we're on the Order of 3rd Reading and it appears to me that our rules are very explicit in the perspective that it would take...that it would only take thirty votes in order to pass and, therefore,...I'm trying to respond to Senator Rigney's question...I beg your pardon. All right, Senator Rigney, do you...do you question the presence of any...other member?

SENATOR RIGNEY:

No.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. On a verified roll call, the Ayes are...Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Point of...point of order...I would like a parliamentary inquiry. What do our rules read on...on a...request for a verification? Would our Parliamentarian read that please?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Rule...Rule 23, Senator Savickas, "After any roll call, except where a vote which requires a specific number of affirmative votes and which has not received the required votes and before intervening business, it shall be the order of any Senator that requests a verification of the results of



the roll call. The Presiding Officer shall then instruct the Secretary to call the names of those Senators whose votes are to be verified. Each Senator whose name is called shall answer and his vote shall then be dooed...deemed...dooed...deemed verified. The present office...Presiding Officer shall then...announce the results of the verification. While the results of any roll call are being verified, it shall be in order to...for any Senator to announce his presence on the Floor and therefore have...have his vote verified. If a Senator does not answer his name, it shall be stricken from the roll call. The Presiding Officer shall determine the presence or presences of...absence of any member whose name is called. The...the request for verification of the affirmative or negative results of a roll call may only be made once on each roll call. No Senator shall be permitted to vote...or change his vote on verification." On a verified roll call, there are 29 Ayes, 29 Nays and none voting Present. Senator Savickas.

SENATOR SAVICKAS:

I didn't hear in that reading of your rule that it was improper to verify the negative vote. It said the verification of the vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...Senator Savickas...the...the effect of...verifying the negatives would have no effect whatsoever in this particular instance; therefore, on a verified roll call, the Nays are 29, the Nays are...the Ayes are 29, the Nays are 29 and none voting Present. House Bill 1900 having failed to receive the required constitutional majority is declared lost. Senator Savickas has requested postponed consideration...postponed consideration. 1916, Senator Jeremiah Joyce. House bills 3rd reading is House Bill 1918, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

HB 1937  
3rd Reading

House Bill 1918.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. The Comptroller currently retains records and warrants and vouchers for five years. The Statute requires three years. He wants the law changed to provide five years. I don't know of any objection to this.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall House bill 1918 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 1919 having received the required constitutional majority is declared passed. 1920, Senator Netsch. It's on the recall list. 1937...I beg your pardon, on...House Bill 1919, on that vote it's...on 1918 verified...the roll call is...59-0-0. 1937, Senator Harovitz. House bills 3rd reading, bottom of page 10, is House Bill 1937, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1937.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Harovitz.

SENATOR HAROVITZ:

Thank you, very much, Mr. President. Before I begin, I'd like leave to add Senator Barkhausen as a hyphenated sponsor to House Bill 1937.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Marovitz to add Senator Barkhausen as a hyphenated cosponsor of House Bill 1937. Leave is granted. It's so ordered. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This bill would allow in the first instance title insurance to chosen by the purchaser/borrower. It would give the financial institution, the lender, the opportunity to reject that if they had reasonable belief to...to believe that the insurer would not provide sufficient financial protection to the lender. Usually the mortgage broker tells you where to get your title insurance from. All this bill does is give the...the...the buyer, the borrower, the option of choosing the title insurer that they would like and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Just wanted to state that I write title insurance and I have a conflict of interest and will be voting Present on this bill.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall House Bill 1937 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 3 Nays, 1 voting Present. House Bill 1937 having received the required constitutional majority is declared passed. 1955. On the Order of...1966, Senator Hawkinson. On the Order of House Bills 3rd Reading is 1966. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1966.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Since coming out of the House, this bill has been amended by Committee Amendment 1 to take away DCCA's objections to the bill...now in support. As amended, it does two things. One, it directs DCCA to actively solicit applications for enterprise zone applications from counties with populations less than three hundred thousand but there is no longer any quota in the bill. The second thing that the bill does is to require that two-fifths of the enterprise zone applications be given to counties where there's more than eight percent unemployment rate for one month during the preceding year. All counties in the state are eligible and I would ask for the passage of this bill.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 1966 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1966 having received the required constitutional majority is declared passed. 1988. On the Order of House Bills 3rd Reading is House Bill 1968. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1968.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This bill authorizes the Illinois Department of Transportation to enter into agreements with the United States Government, any municipality or public or private corporations in connection with the development of the Illinois River watershed. As a practical matter, what it is is...we are trying to...through the Department of Transportation, to get some Federal funds through the Federal Environmental Management Fund. It's a five-state effort to build a demonstration island in Peoria Lake, in the Illinois River, which will slow and...and hopefully correct the sedimentation which is slowly but surely drying up Peoria Lake. If we can have this demonstration island...designated as a habitat, an environmental concern, it will be a hundred percent Federal funding. If it is deemed to be a recreational project, there would have to be a twenty-five percent match. This would authorize the agreement but I stress would not be an entitlement but we would have to come back at some later date and try and obtain a twenty-five percent appropriation from the General Assembly. I would ask for the adoption of this bill.

PRESIDENT:

Discussion? Any discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Welch.

SENATOR WELCH:

You said you're going to build an island in the middle of the Illinois River at Lake Peoria?

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

The idea...and this has been studied by state conferences...the Water Survey Division of IDOT and others. There's been a Governor's Conference in Peoria. The thought is that by carefully constructing a...an island using the...the sedimentation that's already in the river, dredging out some to create an island which would then channel the flow of the river around that island would protect Peoria Lake from fully sedimenting in. We've been told in...in meetings and have had task force...Senator Luft, Representative Saltsman, Tuerk and others that by...that there is Federal money available for this project, that is the idea; if it doesn't work, we would stop with the one island.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Well, we've got an island up in my part of Illinois River if you want to use it, but are you limiting the dredging to around the Peoria area or are you going to dredge all the way up and down the Illinois River?

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

It's...it's not feasible with today's technology to dredge even the entire Peoria Lake much less up and down the Illinois River costwise, but this bill does not limit the area of where such a...such a project could be done.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall House Bill 1968 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 1968 having received the required constitutional majority is declared

HB 1984  
3rd Reading

passed. 1969, Senator Collins. 1984, Senator Fawell. On the Order of House Bills 3rd Reading is House Bill 1984. Read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 1984.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. There are actually two parts of this bill. The first part allows municipalities not to have to reprint a...an ordinance if the printing error was a very small one, and this is supported by the Municipal League. Second part of the bill is basically Senate Bill 710 and it is...prohibits any municipality from placing a tax or surcharge on top of any fee charged by a park district. Be glad to ask...answer any questions and I would solicit your Aye vote.

PRESIDENT:

Discussion? Senator Savickas.

SENATOR SAVICKAS:

Mr. President, just a technical question. Would this be preemptive? My reading of the analysis indicates that it would be preemptive and...and that it would require thirty-six votes.

PRESIDENT:

The Chair is prepared to rule, yes, that House Bill 1984 as amended will require thirty-six affirmative votes since it is, in fact, preemptive. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I rise reluctantly in opposition to my conferee on the other side of the aisle on the basis that...this is a preemptive piece of legislation and it

would defeat the...the prerogative of the City of Chicago to do what it needs to do on moorings, and I would...on that basis ask for a No vote.

PRESIDENT:

Further discussion? Senator Fawell may close.

SENATOR FAWELL:

Thank you, very much. I'm...assure your ruling is correct, it does preempt...municipalities from charging the surcharge. The problem that...that I have is that right now the Chicago Park District mooring fee is a minimum of four hundred and fifty dollars a season and can go up to three thousand. The City of Chicago's surcharge on this fee is fifty percent which would mean that an individual minimumly would have to pay six hundred and sixty dollars for a small rowboat type...since I have a lot of people in my...my district who do own these boats as well as, I'm sure, a lot of my colleagues from the Chicago and Chicago area do, and I feel this fee is a little bit exorbitant since most of the boat owners are middle or lower class income people. I would, again, solicit an Aye vote.

PRESIDENT:

Question is, shall House Bill 1984 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 40 Ayes, 17 Nays, 1 voting Present. House Bill 1984 having received the required constitutional majority is declared passed. 1992, Senator Geo-Karis. On the Order of House Bills 3rd Reading is House Bill 1992. Read the bill.

SECRETARY:

House Bill 1992.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:



Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, what this bill does...and this was...amended to conform with the request of Department of Mental Health. What it does is the powers and duties of Department of Mental Health and Development...Disabilities...Act be amended to provide for the creation of a division for children adolescents right within the department for the expressed purpose of assuming responsibility for serving mentally ill children and adolescents, and I ask for favorable consideration of this bill. This bill was...requested by the Citizens Council on Children with Senator Hall as the cochairman, with Representative Frederick from the House. I ask for a favorable vote.

PRESIDENT:

Discussion? Senator Dudycz. Senator Dudycz.

SENATOR DUDY CZ:

Point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR DUDY CZ:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, we have some special guests from my district with us this afternoon. Up in the Democratic side of the Senate, we have members...or the first half of members of the first annual Windy City to Capitol City Senior Citizens Tour and I'd like for them to stand and be recognized.

PRESIDENT:

Will our guests stand and be recognized. Welcome to Springfield. Any discussion? If not, the question is, shall House Bill 1992 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 1992 having received the required constitutional majority is declared passed. 1998. On the Order of House Bills 3rd Reading is House Bill 1996. Read the bill.

SECRETARY:

House Bill 1998.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, the amendment on this bill struck everything and now would allow those private not-for-profit universities and...this case, particularly Chicago Osteopathic College to be able to hire their own police force. When we did this for Bradley University and a couple of others a couple of years ago, we had the baccalaureate degree involved as a prerequisite and these colleges being upper level or professional degrees do not have that and this just allows them to do that and I ask for a favorable roll call.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 1998 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 1998 having received the required constitutional majority is declared passed. 2006, Senator Savickas. On the Order of House Bills 3rd reading is House Bill 2006. Read the bill.

SECRETARY:

House Bill 2006.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Okay. Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, that's exactly what the bill does is just what the title indicates that the Secretary read. The purpose of the Act is to create an advisory committee to develop a developmental disabilities bill of rights implementation plan, and this expressly indicates that rights are not conferred by the bill. This bill is derived from the Governor's Council on Developmental Disabilities and is modeled after similar...similar law in Iowa, Colorado and Hawaii. I know of no opposition to it and I would just seek a favorable vote.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 2006 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 2006 having received the required constitutional majority is declared passed. Ladies and gentlemen, if I can have your attention, Senators Vadalabene and Schuneman have a special guest and the Star Courier of Kewanee has requested permission to take some photographs of our special guest and his presentation. The Chair will yield to Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and members of the Senate. We're honored today by a visit from a citizen of Illinois who is the oldest living veteran of United States military service. His name is Sam Mendal. He lives in the Village of Galva, Illinois, which is in my district. Sam celebrated his

birthday two days ago. He was born June 23rd, 1884, and...a few days ago the Senate adopted a resolution of congratulations and recognition of Sam Mendal and he's here in person today. He couldn't be here a couple of weeks ago, he had such a busy schedule. He had to go to Milwaukee and different places, but he was able to get here today and I want you to meet him, I want you to hear from him. He's a bright gentleman and...so, I'd like you to greet Sam Mendal.

SAM MENDAL:

(Remarks made by Sam Mendal)

SENATOR SCHUNEMAN:

Wait...wait just a minute. We have a multitalented man here. He not only sings...Sam Mendal is...is a poet and has composed something over a hundred poems. He was born in Texas and enlisted in the United States Army in 1901. He left his work in Texas which was that of a vaudeville singer at that time and since that time he has been a minister...an ordained minister, he's been a salesman, he's been a lot of things but especially in the community of Galva, he's been an important active member of that community. I think he's a remarkable gentleman. Sam...is there anything else you'd like to say to this group? We need to get you over to the House of Representatives and to see the Governor.

SAM MENDAL:

(Remarks made by Sam Mendal)

SENATOR SCHUNEMAN:

Thank you, Mr. Mendal. We wish you many more happy, active years. Thank you, Mr. President, for the time.

PRESIDENT:

Senator Dudycz, for what purpose do you seek recognition?

SENATOR DUDYCZ:

Point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR DUDYCZ:

...thank you, Mr. President. The other half of the first annual Windy City Tour to Capitol City Senior Citizens Group has arrived and they are on both sides of the gallery behind us. I'd like for them to also stand and be recognized.

PRESIDENT:

Will our guests please stand and be recognized. Welcome to Springfield. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

Sam, did you pick that song out for us?

PRESIDENT:

All right, Senator Degnan, 2007. On the Order of House Bills 3rd Reading, middle of page 11, is House Bill 2007. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2007.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 2007 as amended is called the motor vehicle replacement part safety law. As amended, it takes out many of the concerns and in...and, in fact, now has the support of the insurance industry and the auto manufacturers industry. 2007 as amended does three things. It provides that non-OEM, that is, original equipment manufactured, crash parts, that the exterior parts of an automobile, can only be used if that part meets the safety and damageability standards of...of the US Department of Transportation and if that part is equal or exceeds in quality the parts made by an original equipment manufacturer. Secondly, repair estimates must identify non-OEM parts to be

used, and if non-OEM parts are included, a disclosure should be attached to the vehicle owner's copy of the estimate. And thirdly, it provides no insurance company shall require the use of non-OEM parts and no repair facility shall install non-OEM parts unless the consumer is advised before repairs are made. Senator Schuneman brought up a point when we put this amendment on in 2nd reading with reference to a testing laboratory. He is correct. The bill defines the testing laboratory but does not indicate in its body what the testing laboratory is to be used for. I am advised by the authors of the bill, Representative Wolf and O'Connell in the House, that if the concept receives a favorable vote in this Chamber, they will make that adjustment in the House again. Je happy to answer any questions.

PRESIDENT:

Further...discussion? Senator Kustra.

SENATOR KUSTRA:

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

PRESIDENT:

Indicates he'll yield, Senator Kustra.

SENATOR KUSTRA:

Senator Degnan, I've heard from some parts dealers and...automotive wholesalers who were opposed to the bill and I wonder if you can tell us whether the amendments have in any way changed their position on this legislation which I understand they...they have been opposed to this bill.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

I think in its pristine form they were opposed. As amended, this legislation does...only deals with exterior parts, fenders, bumpers, hoods, trunk decks, and the parts people do not sell those items.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDENT:

He indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

I've had pro and con correspondence on this, Senator Degnan, and one of the problems that they say that this...what this bill is trying to do is monopolize the use of, for example, General Motors parts or Chrysler parts or Ford parts so that other parts that are equal to the value and to the quality of the known automobile companies would not be used. Now, was there some change made in a bill by amendment that would clarify that, because...I'm not sure where I stand on it, frankly.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you...well, as amended, the part...must meet...if they use a non-OEM part, a part made by a...by not the manufacturer...the original manufacturer of the vehicle, that part must meet the safety and damageability standards established by the US Department of Transportation and must be equal to or exceed the quality of parts made by those OEM's. Let me give you an example. There are hoods now being put on automobiles in our state that are non-OEM hoods and because they don't have the spot welds around hinges and latches, in the event of a crash, those hoods don't buckle as an accordion like...like OEM hoods do, but they can go through the windshield straight away, that's what this legislation gets to.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, a question of the sponsor.

PRESIDENT:

He indicates he'll yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Degnan, do the...automotive industry, the original equipment manufacturers, let out the specifications of their product?

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Specifications are proprietary. The answer is no.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Then why do you insist that the replacement part is equal to or exceeds the quality of parts when the standard for that quality or the...the...the chemistry of the product is not available? How are you going to meet that?

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

I insist on it for the consumer's good.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, if you want to do the consumers good, the previous paragraph will take care of it, because you said if it will meet the standards of the US Department of Transportation. Now, you got a product that's tested, but then you come back, it says, look, even if you passed the test, it's still not okay because now you have to meet the quality or exceed the quality of the manufacturer who will not tell you what the quality is.

PRESIDENT:



Senator Degnan.

SENATOR DEGNAN:

The standards addressed in the bill, if you read further in the amendment, say, if any. There are currently safety standards on most of these parts. Bumpers also have damageability standards.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, it...it's still not replying to the question. What I'm saying to you is, you are making a situation here that is impossible, and you know there's been a lot of talk about Taiwan. Okay? Let me point out to you, sir, that the automotive manufacturers make very little of their own car and most of those parts that go into automotive are made domestically and what you're really essentially saying is that very same person who might be making that part for automotive on a sub-contract can't sell to the after market 'cause he can't meet the specifications of this requirement. And I...I don't mind you indicating a quality level to protect the consumer, but you can't make the quality level hidden. You can't turn around it's a secret. Now you go and make these parts and after you bring them here, we're going to tell you whether they're...good or not because we know what's in there and we're going to take your part and we're going to test it and we're going to tell you it's going to meet it but we're not going to tell you why it doesn't meet it, because we're the only one's know...that know what's in there, and that's not fair.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I guess that was a rhetorical question, but I also want to point out that even after you go beyond

that...let's say that you are an after-market producer and you by chance, because they're hiding the specs. from you, you do make the part right, they can't throw you out of business, then you further got to state in that, this was not made by the manufacturer. Is the manufacturer ready to state the parts he doesn't make? Because most of them don't make their own parts. You want the manufacturer to indicate he's not making them? I mean, I...I can understand inferior products and not wanting those in there, but I do want to tell you that you can't turn around and drive other people out of business who might, in fact, be making parts that are equal to or superior when they don't even know whether they're going to be making them or not unless you allow them the opportunity to do so. I just really think that once again were back to the old restrain the trade kind of stuff and maybe this industry needs all that kind of help, but I want to tell you, I get a little disappointed in these great entrepreneurs.

PRESIDENT:

Further discussion? Senator Dunn.

SENATOR TOM DUNN:

I think...thank you, Mr. President. I think Senator DeAngelis raises somewhat of a valid point, but it's my understanding that a comparison test can be done between OEM and non-OEM part and it's not like...the...it's...there's an inability of a non-OEM part to meet the standard. They may meet the standard. They may know when they fail the standard by comparing it.

PRESIDENT:

Further discussion? Any further discussion? Senator Degnan may close.

SENATOR DEGNAN:

Well, with respect to Senator DeAngelis' argument, I think it goes to what I said in my opening statements, that

is, there is a testing lab identified and defined in the amendment, but what that testing lab does is not in the body of the bill. That, I think, would resolve Senator DeAngelis' problem if there was an independent testing lab to establish the quality of non-OEM parts. I move its adoption.

PRESIDENT:

Question is, shall House Bill 2007 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 24 Nays, 5 voting Present. House Bill 2007 having...failed to receive the required constitutional majority is declared lost. 2012, Senator del Valle. On the...on the Order of House Bills 3rd Reading is House Bill 2012. Read the bill.

END OF REEL

REEL 83

SECRETARY:

House Bill 2012.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator del Valle.

SENATOR del VALLE:

Mr. President and members of the Senate, House Bill 2012 extends provisions of the Public Aid Code that relate to medical vendor fraud to other goods and services, revises provisions of the Public Aid Code that prohibits kickbacks or remuneration in exchange for referrals to services or for the purchase, leasing or ordering of goods and facilities. There was an amendment that was worked out between the Attorney General's Office and the Illinois State Medical Society that exempts any monies paid to or received by a doctor for professional services provided in conjunction with...HMO contract. I move for the adoption...

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 2012 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 2012 having received the required constitutional majority is declared passed. 2032, Senator Poshard. On the Order of House Bills 3rd Reading is House Bill 2032. Read the bill.

SECRETARY:

House Bill 2032.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Mr. President, Ladies and Gentlemen of the Senate, this is the workmen's compensation vehicle bill. This very moment the negotiation sessions is going on over in the Governor's Mansion and we're still waiting but we need to pass this out of here.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 2032 pass. Those in favor vote...I beg your pardon...Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. What Senator Poshard has...has said is...is very true and negotiations are going on and I think the...the basic philosophy here is to keep these bills alive so that they can be used for that possible purpose. So it would be my recommendation that our members vote Present or Yes on these bills for that purpose. Thank you.

PRESIDENT:

Further discussion? If not, the question is, shall House Bill 2032 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, 1 Nay, 11 voting Present. House Bill 2032 having received the required constitutional majority is declared passed. 2033. On the Order of House Bills 3rd Reading is House Bill 2033. Read the bill.

SECRETARY:

House Bill 2033.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Mr. President, this is the vehicle bill for the unemployment insurance, and for the very same reasons we passed the other bill out, we need to pass this one out.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall House Bill 2033 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 42 Ayes, no Nays, 14 voting Present. House Bill 2033 having received the required constitutional majority is declared passed. 2034, Senator Jones. Bottom of page 11, on the Order of House Bills 3rd Reading is House Bill 2034. Read the bill.

SECRETARY:

House Bill 2034.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. House Bill 2034 creates the Alexander-Pulaski County Regional Port Authority. It allows for the...it allows the Capital Development Board to subordinate remittance for port districts to certain new indebtedness, it...by amendment it will...and for the Joliet area it will require a front-door referendum just before the port authority district may operate a waste incinerator and also reinstate that language as it relates to the airport that Senator...had concern about. It...it defines what the revenue bonds are and the port authority is empowered to issue permits for the construction

HB 2043  
3rd Reading

of wharf, piers and breakwaters regularly anchorage, moors and speed water vessels, gives the authority the power of eminent domain. It permits the authority to issue General Obligation Bonds with voter approval and permit the authority only after voter approval by referendum to levy a tax. I know of no opposition, and I ask for a favorable vote on 2034.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 2034 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 42 Ayes, 10 Nays, 4 voting Present. House Bill 2034 having received the required constitutional majority is declared passed. Top of page 12, 2043, Senator Watson. On the Order of House Bills 3rd Reading is House Bill 2043. Read the bill.

SECRETARY:

House Bill 2043.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you. This is a...one of a series of bills that we have affecting the AIDS problem. And the analysis and the...as amended on House Bill 2043 requires the Department of Public Health to establish a registry of Illinois sperm banks, and as we amended it, it includes now Illinois tissue banks. And it provides for the failure to register with the Department of Public Health as a business offense and subject to a five thousand dollar fine. It requires all semen and tissue donors to be tested for AIDS before artificial insemination or transplantation takes place, provides that the use

HB 2044  
3rd Reading

of untested sperm or tissue as a class...that the use of untested sperm or tissue is a Class 4 felony. Currently, the department tries to require and...the...the registration of these particular agencies but there's no mandate to do so, so they're...all we're doing is trying to firm up that language in order to hopefully get a better handle on this particular problem.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House bill 2043 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, 1 voting Present. House Bill 2043 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 2044. Read the bill.

SECRETARY:

House Bill 2044.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President, this one may be a little more controversial. House bill 2044 which we have amended now provides that all data or other information related to AIDS or AIDS testing which is processed by computer or other types of artificial intelligence shall be handled in the most secure manner by the Department of Public Health. We're trying to strengthen the...confidentiality language in...in hopes of creating that kind of a situation within the department. A second provision guarantees patients the right to receive blood of their choice and this is the blood-trust program that we've had debated before. A patient has the



right to solicit donations for blood...for the blood he is to receive provided that the blood is medically acceptable and donated, of course, in sufficient time. Another provision of this provides that the blood donated for a specific purpose that is not used within seven days can then be used for other purposes. This is currently accepted medical practice. A third provision requires the Department of Public Health in the case of a report of AIDS, ARC, which is AIDS related complex, or a positive test to a Western Blot Test to notify the school district superintendent and the president of that particular governing body of that school in which a child resides that has tested positive. These individuals then can disclose that information...disclose that information to the school principal, the school nurse and the teacher of the student. And then the fourth provision provides that a health care worker that has AIDS, ARC or has tested positive to a Western Blot Test must notify his or her employer of the fact in writing. The employer then may, and we originally...the legislation said...said "shall," we now say "may" take measures...that employer may take measures to protect the patients by limiting direct contact by that employee with the patient. And the reason we changed it to "may" was to allow people who have...who are AIDS...victims to be able, of course, to treat AIDS patients. It requires the employer to keep...such...information confidential and provides that failure of a health care worker to report such information shall be grounds for a loss of license. The fifth provision requires an AIDS test be conducted before a marriage license. Persons who test positive will then be required to meet with their physician and both parties then will be counseled as to the meaning of this particular positive test, the availability of further testing and possibly the availability of counseling. The sixth provision provides that persons convicted of a sex offense or unauthorized possession or sale of a

hypodermic syringe must be tested for sexually...transmitted diseases including...AIDS. The results of these tests then will be given to the judge but...and must be kept confidential and any action that is to be taken will be at the discretion of that particular judge. Sex offenses included are prostitution, solicitation of a prostitute, keeping a place of prostitution, patronizing a prostitute, pimping, juvenile pimping,...exploitation of a child and criminal sexual assault and criminal sexual abuse. I'd be glad to answer any questions at this particular time, Mr. President.

PRESIDENT:

Discussion? Senator Jacobs.

SENATOR JACOBS:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

Senator Watson, the only problem I have, I know I've talked to some of our blood banks back home, and what is the legal standing of a directed donor if something does crop up later of a blood related disease?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, right now, hospitals are required to...to test all blood, so I think that would take care of your particular concern.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Well, the...the problem that's been expressed to me, and don't get me wrong 'cause I think what you're trying to do is good, but the problem that I get from my blood banks is that whenever you do have a directed donor and if something would

crop up because you now know who that donor was that gave you the blood, that that person is legally liable.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, I...I beg your pardon, I didn't hear the question, we got conversation going on here. I'd appreciate it if he'd repeat the question. Pardon me.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Just to...to reiterate, it's really just asking the question in another way that...my blood banks tell me that if a blood related disease crops up after a directed donor gives blood that that directed donor is legally liable for any damages because they now know who gave the blood, where otherwise they don't.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, that is not the intent and that's simply not true in this particular regard. You can assure your people back home that that's not the case.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Well, I rise in opposition to the legislation. And I think as we've all been hearing a lot about this issue, we read the newspapers yesterday, headline in the newspaper yesterday, I have it right in my hand here, "AMA Opposes State AIDS Bill." And the American Medical Association has just come out with a stand regarding their opposition to premarital testing. They have said, the physicians and the general counsel of the AMA,

that premarital testing would not prevent the births of many children with the deadly disease. Most of these children are born out of wedlock anyway and so the problem, and I'm quoting, "The problem of children born with AIDS is almost exclusively an unwed-mother situation." It's really a phony issue. To...to talk about mandatory testing before issuing a marriage certificate is a...is a...is a poor way to attack this problem. I think we are attempting to attack it in many other ways. The Department of Public Health has said it will cost seven million dollars in order to do this. We're getting at the low risk group. That's what this Bill would do, it would...it would test the low risk group and really ignore the high risk users, chase away the...the...those in the high risk category. It's a very poor use of our limited resources. It's a...it's the improper way to attack this problem. And I think when we're dealing with a disease like this that we have to look to our medical professionals, our health professionals, our scientific professionals and not to do that...we are the laypeople in regards to this disease, we are the laypeople. The medical professionals deal with this disease every single day, they...they think mandatory testing in certain instances is okay, they've endorsed that, the A.A.A. has endorsed that, the medical society has endorsed that, but not premarriage testing, they haven't endorsed that, they've come out flat in opposition to that. So let's be consistent and listen to our medical professionals, they're the ones dealing with this disease day in and day out. I oppose this bill for that reason.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I think at this stage a long talk would be repetitive. I was going to focus on one part of the bill which does a great many things and that was the

premarital testing. And...but let me just add an underscoring to it. It...the problem with it is not just that it is wrong in itself to require it, you can debate that one way or the other, the real problem is that it is such a misdirection of resources, and in the meantime we are allowing other things to happen that really could benefit from the...the same investment of funds, if you will, education programs and other aspects of that which have been recommended both by our own task force and by the medical groups. Instead, we're going to spend it on something that everyone agrees, everyone who knows anything about the subject agrees is going to produce almost no results at all, and I think that's the tragedy of it, it gives...it's going to give people a sense that...that something is happening when, in fact, it is not happening. And it seems to me that is bad public policy and we are the ones who make public policy. We ought to make the right one in this case, this is the wrong one.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Would the sponsor yield?

PRESIDENT:

Indicates he'll yield, Senator Berman.

SENATOR BERMAN:

...Senator Watson, in your explanation you talked about...something regarding a policy to be made by the state board regarding schools, could you address that, please?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, this would require the Department of Public Health in the case of a student registering positive on...an AIDS victim, the Department of Public Health then would notify the

superintendent of that particular district and the president of the governing body of that district, school board president in most cases, and those individuals then could notify the school nurse, a...the principal of that particular school and the classroom teacher in which that particular student resides.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Is...is that all? I know...what I'm concerned about, Wilmette had this problem. They addressed it, I thought very, very well. The confidentiality of the child was maintained, there were public hearings and they did an excellent job. I don't want to mess that process up, does this do that in any way?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

No, sir, I don't believe so at all. I think that it allows for the...the school district to have some flexibility on who is notified, but I do think that they'll...the superintendent and the president of that governing body should be notified that they have a...a student which has AIDS. We had a similar situation in...in my end of the state, the only way the school district found out about it was an anonymous phone call. And I just think that we need to make those school districts available to the knowledge that they have an AIDS victim in their particular school.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. As most of you know, I did have the original legislation for the premarital testing for...for...AIDS, and I'd like to reiterate some of the facts

that I found out when I was doing the research for that bill. First of all, what we are talking about is approximately six dollars per screening. Now when I got married, it would have been thirty-eight years ago yesterday, I had to pay ten dollars for a syphilis test. Now, believe me, I don't think...and since I was a college student at that time, that I was in the high risk group and yet...and ten dollars in those days was a lot more than ten dollars is nowadays, and I don't know anybody that objected to that testing and I don't know anybody that got away with not taking it, and it is still required and it is still costing couples who are not in the high risk area to take. When we talk about resources we're not talking about our...resources, we're talking about the couple who are about to get married paying that fee, not the state, and those of you in this Assembly know that. The average age now of a...of a couple that gets married is getting older and older. My children didn't get married until they were in...close to their thirties or in their thirties. I don't know what my boys did before that; I don't know what their fiancées did before that. I don't really want to know, I don't think. But I do think in this day and age when we don't understand this disease, we don't know enough about it, nobody knows what the risk is out there, and I think it's about time that we started doing some testing of some general population and find out what in the world we've got. I think this is a good step. I have yet to have one single couple come to me and say, I don't want to pay that six dollars; in fact, I have received exactly the opposite comments. Most of the people that I've talked to, in fact, just about all of them, have said, you know, I don't want to ask my fiancé to take that test but I'm going to tell you, I sure as heck wish somebody would ask him 'cause I get a little bit nervous about this. I think this is a good bill and I...solicit your Aye vote.

PRESIDENT:

Further discussion?...WCIA-TV has requested permission to tape. Is leave granted? Leave is granted. Discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Before this Session we've had many bills come before us dealing with the concept of AIDS. When you talk about AIDS there's only two ways to deal with AIDS, that's AIDS prevention and a vaccine. When they had the AIDS Conference, it's pretty well known there is no vaccine for AIDS. All we have is AIDS prevention and to get the word out about the deadly disease. This matter which comes before us now had much debate in the Health Committee, there was only one No vote. This bill passed unanimously with the exception of that one vote out of committee. A group of mothers showed concern over this piece of legislation because they have an AIDS victim in their school. The comment that was made is that if your wife was pregnant and her children are in school and someone in that classroom has measles or some other contagious disease, that mother has the right to know about it. The question before us now is do we consider AIDS less deadly than measles in certain cases. There is so much that is not known about the AIDS virus that I would feel that it would be wrong for this Body to just kill this piece of legislation. We have the right to inform the parents and the children about this disease and since there is no vaccine, we, as a Body, have to take that one other precaution and that's AIDS prevention. I...solicit your Aye vote on this piece of legislation.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate,



some of my colleagues have already made most of the remarks I would have made, but I will want to bring one thing to your attention, AIDS can kill, venereal disease can maim but for the most part venereal disease is curable, but AIDS can kill and this is a life and death matter. And I think the fact that we require a test before a marriage license will be issued, I think it's...it's...it's preventive perhaps of death, and I...I think we should consider that very strongly and pass this bill out because the medical society has made some horrible mistakes in the past. Yesterday, the medical...society didn't take a position on a bill that's going to harm pregnant women. So, I say to you, let's pass this bill and go on with the show.

PRESIDENT:

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. In spite of all that has been said against this piece of legislation, I think the bottom line is that no one really knows not even the medical profession what...either the cause or what might be the cure, and for us to go forward with a disease that is threatening not only this country but the world and to stand by and do nothing, I think is just reprehensible. I think that it is very important for us to pass this piece of legislation, and I urge your Aye vote.

PRESIDENT:

Further discussion? Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. Mr. President, I rise in support of this bill also. There was lengthy debate in the Public Health Committee on the merits of this bill and I'll tell you my feelings about it because I...I think it's an important bill. I asked the gentleman who heads up the Illinois AIDS Council, I think that's the name of it, in the

committee, if...if they were recommending that physicians who had AIDS continue to practice in the hospitals and in the clinics in treating other patients where there might be a possibility of blood comingling and so on. He said they certainly were recommending that because there was no danger whatsoever of the transmitting of AIDS in those hospitals. I said, well, then are we talking about emergency medical technicians flying out on helicopters to the scene of wrecks, and if...if those people had AIDS would you recommend that they go ahead and treat patients who are in automobile wrecks where there might be glass lying everywhere and blood and so on? Certainly. The Illinois AIDS Council was recommending that because there's no possibility there. My...my...my point is, I...I've listened to some...some highly regarded medical people on this issue, and they say at best right now we might know ten, fifteen percent of all of the information that we're eventually going to know about AIDS, but right now what we know is minuscule. Well, is it possible then that in that eighty-five or ninety percent of the body of knowledge of which we don't know anything about at this point in time that those folks could be wrong, that we could come up with information which says they're wrong? It seems to me there is the possibility out there. And for me and my judgment, I prefer to be safe. Why take the chance? If the possibility is out there and the overwhelming amount of knowledge that we don't know anything about yet. So I just...I...I rise in support of the bill, I think it makes sense that we be as cautious at this point in time about this deadly disease as we can.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Mr. President, I move the previous question.

PRESIDENT:

Further discussion? Senator Berman, for the second time.

SENATOR BERMAN:

No, I didn't speak and it's on a point of personal privilege.

PRESIDENT:

I beg your...I beg your pardon. Senator Berman.

SENATOR BERMAN:

Ladies and Gentlemen of the Senate, up in the President's Gallery we have a future president of the Illinois Senate, that's Danny Ryan, his mother, Sheila, and father, David, and his proud grandfather who is one of our sergeant-at-arms, Paul Marrin. Welcome, Daniel Ryan.

PRESIDENT:

Will our guests please stand and be recognized. Further discussion? Senator Watson may close.

SENATOR WATSON:

Thank you, Mr. President. I...I appreciate the remarks of Senator Poshard because there is so much unknown about this that it's a real concern of...of the entire State of Illinois and an entire nation and probably an entire world. There is much to be discussed and debated, and I think that what we're trying to do is a reasonable and responsible approach. The amendments that we have drafted and have placed on this particular legislation have addressed the concerns of some of those who...who spoke against it and maybe some within even the Department of Public Health, but we are trying to take a reasonable and responsible approach. A committee vote, that was pointed out by Senator Raica, was 10 to 1, there was only one individual voting No. In regard to the premarital testing, I...I really don't know why the concern because we do test for other sexually transmitted diseases, I think this is only responsible to...to do this also. We have put in there several provisions concerning the confidentiality. That is a concern and I understand those

people who are concerned about that. But I do think there are people, such as school districts, that need to be made aware that there's a student in that particular school who may have...or who has tested positive as an AIDS...AIDS victim. I don't really think that we can stick our head in the sand and expect this kind of a problem to go away. We can't ignore the outcry of the public and the people of Illinois who are looking for the...the General Assembly for direction, and I think that we're trying to provide that direction. I also think that we can't really protect the rights of a few for the detriment of many, and in many cases that's where the opposition is coming from in regard to this and I think that we are, again, taking a reasonable, responsible approach to a...a national, worldwide crisis. And I think that this particular piece of legislation should be overwhelmingly passed and appreciate an Aye vote. Thank you.

PRESIDENT:

Question is, shall House Bill 2044 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 4 Nays, 2 voting Present. House bill 2044 having received the required constitutional majority is declared passed. 2062, Senator Berman. On the Order...I beg your pardon. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Point of...point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR DAVIDSON:

Mr. President, I'd like to present to the members of the Senate the parents of Senator Carl Hawkinson, Mr. and Mrs. Hawkinson, who are sitting in the gallery.

PRESIDENT:

HB 2062  
3rd reading

Will our guests please rise and be recognized. welcome to Springfield. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, on a point of personal privilege. Mr. President, in regards to that last bill and the statement that Bev made, I would like to respond to Bev, that I have a vested interest in that ten dollars that...that you paid and I also know that I should be told how did the test come out. And second, if you don't have the information, I'll put up the next ten.

PRESIDENT:

Senator Berman. House Bill 2062. Read the bill, Madam...Secretary.

SECRETARY:

House Bill 2062.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House bill 2062 abolishes what is usually referred to as interspousal immunity. In plainer language what that means is that this bill would abolish an archaic law that discriminates between husband and wife. At the present time, if I am driving my car and there is a friend in the right passenger seat and I run a red light and collide with a lamppost, that person who is my passenger has the right if they are injured to sue me because I was negligent in the operation of my automobile. Now that's the right that a stranger has. If that person to my right in the passenger seat happens to be my spouse, under the Illinois law that person cannot recover for her damages. This bill would change that. And interestingly, and I wasn't aware of this

until the committee hearing, we are the only state in the nation that still has this law which discriminates between husband and wife. Be glad to respond to any questions and solicit your Aye vote.

PRESIDENT:

All right. WAND-TV has also requested permission to videotape today's proceedings. Is leave granted? Leave is granted. Discussion? Senator Keats.

SENATOR KEATS:

This is an issue we've fought many times, and actually the issue of being able to sue back and forth between spouses, et cetera really deals with the entire concept of insurance. Somewhere along there there's a line that says, you didn't intend to do it, there is a presumption of innocence. Your wife is covered by...or your spouse is covered by the medical insurance portion of it. The reason you can make some of the...the recovery you make is because...as one attorney friend of mine says, well, you're the jerk who caused it and you ought to pay for it. With your wife, there's an assumption you didn't cause this intentionally. The liability issue between a spouse and yourself, there is a basic acceptance that you are not intentionally hurting each other. So while...so your insurance rate is based upon the fact that you or her will be covered by the medical portion of it, that's a key factor. Now if you want to dramatically raise pricing, this is an easy way to do it because in the best of all worlds no spouses would ever under any circumstances misrepresent their injuries. Now you get a situation here, you really have to ask yourself, do you want to put spouses in the position where they can sue each other at really no cost or no risk to each other and they both benefit if they don't tell the truth? Who's going to prove the difference? You have a situation where it is to your benefit not to tell the truth, you have no one who can witness

against you, how do you...you know, part of the way you keep honest people honest is you put locks on doors, it don't have to be the strongest lock but they'll keep an honest person honest? The crook will get in anyway. You are now setting up the system for an honest person to say, at no risk to yourself, you can recover whatever you're insured at and you really don't have anyone who can testify. Do you really think that ought to be state law?

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, we've got forty-nine other states that do not have this antiquated law. And I can give you an instance; two years ago a wife had a few drinks at a country club and insisted that she drive home, and her husband, to avoid an argument, let her drive. She ran the car up against a...a tree and the guy is a paraplegic today and all the insurance he'll catch is about three to five thousand dollars...or did catch...the medical...the...the medical bills. Passed that, who would take care of it? And there it is. So I think it's time we came into the twentieth century and be fair to both spouses. I think it's an antiquated law that should be repealed. I think this is a good law and Senator Berman has already stated the purpose of this law, why if one spouse causes undue damage to another driving a car, why shouldn't the other...spouse have a chance to recover? And also, as far as fraud goes, let me tell you, the insurance companies have all the right of discovery...interrogatories, depositions to find out just...what is what, and...and I'll tell you, don't think they'll be ever fooled. I urge the passage of this good bill.

PRESIDENT:

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I'd just like to reply to the intentional argument made by a previous speaker. First of all, most liability policies will not cover you against anyone for intentional conduct. You can't insure yourself against criminal or intentional conduct. What the insurance policies insure against for the most part is your negligent conduct. And the argument that somehow intentional conduct between spouses will either be encouraged or will cause people to be untruthful about them really is irrelevant to this debate.

PRESIDENT:

Further discussion? Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. I know Senator Keats misspoke because he said he had a friend that was a lawyer, that's the first point. The second point is that the wife pays the premium just as much as the husband and shouldn't be treated as a second-class person and is entitled to the benefits of the premium just like any other soul that gets in that right seat. And the third is that the immunity situation was created originally, as Senator Hawkinson alluded to, to prevent collusion and fraud that was thought to exist because of the relationship. In the testimony in the committee, no evidence to that effect was presented.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I have two questions and then a statement. Will the sponsor yield?

PRESIDENT:

Sponsor indicates he will yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Berman, I just recently received a copy of a



magazine in which the very distinguished and noted Mr. Corboy has now indicated new areas for the trial lawyers to get into and one of them falls right into this bill and that is that he indicates there will be a significant proliferation of lawsuits between husbands and wives if one unknowingly transmits AIDS. Will this bill allow someone in Illinois who has been infected by either spouse to sue the other one?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

This...the existing law before this bill allows spouses to sue for intentional damages. If I...strike that, if someone...hypothetical, okay? Mr. X has AIDS, knows it and his wife is inflicted with it, I think there would be a basis for a lawsuit for intentional harm. That...that...you don't need this bill to do that.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Berman, I said if unknowingly transmitted.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Well, the issue then would be negligence. Did he exercise a degree of care that the reasonable person should, and that goes into all kinds of medical proof that may or may not show that he was negligent.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Without a condom?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I presume that was a question?

PRESIDENT:

That was...Senator Berman.

SENATOR BERMAN:

I...I can't...I really can't give you an answer because it's...it would be a complex fact situation, it may or may not be. You know, just...if three percent of the population is exposed to AIDS, is the fact that I refuse to wear a condom negligence? I doubt it.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, you better read Mr...Corboy's article 'cause I think he disagrees with it. The second question I have is, if you're basing your support for this bill on the fact that Illinois is the only state that has this antiquated law, I will support your bill if you will support the repeal of an antiquated law that Illinois is the only state that has and that's the Scaffold Act. And if you want to pull a trade, I'm...I'm ready to listen.

PRESIDENT:

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I think much of the argument has already been made. But the...the key point I think is that...that in the absence of insurance no one would really want to allow suits between spouses. And what we're talking about here is...is not so much in reality suits between spouses but the opportunity for spouses to collect or from one of them to collect from an insurance company where they wouldn't otherwise be able to and for a new avenue of lawsuits to...to open up and to permit the new potential for recovery. There is, I believe, even though the testimony was not in committee quite what it might have been, I believe

there is still a great potential for collusion in this area, because imagine, if you will, a situation in which there is a two-car accident and a husband and wife are involved and the...and the people on the other side that may allegedly be mostly or primarily responsible for the accident are uninsured and perhaps what we call judgment proof. So not seeing an opportunity to collect from the driver of the other car, perhaps the husband cooks up his testimony a little bit so as to make it look like he was really maybe a little bit more at fault than he might, in fact, have been and the wife can then sue him, in reality their insurance company, and collect a...a judgment that perhaps wouldn't otherwise be collectible. I think in that sense there is potential for fraud. The insurance company's chief...witness is really...is really the...one...who...stands to benefit if...if the spouse is able to recover, it's obviously a recovery for both of them and not...and not just one of them. I think there are good reasons that lawsuits in this area have been prohibited in the past and I think the Statute should stay where it is.

PRESIDENT:

Further discussion? Further discussion? Senator Hawkinson.

Thank you, Mr. President. I apologize for rising a second time, but to respond to the last hypothetical that was...was just given. To take the facts in that hypothetical, the insurance company, number one, would be able to go to the people in the other car and use them as witnesses; and number two, there's a tremendous disincentive for the husband in your car to fabricate testimony as to his own liability because if he does that, he's going to get sued by the people who are judgment proof in the other car. So even under the facts of that hypothetical, I don't think it presents a good argument against this bill.

PRESIDENT:

Further discussion? Senator Berman may close.

SENATOR BERMAN:

Thank you, Mr. President. Ladies and gentlemen, some of the opposition to this bill comes from the insurance industry. He...they are a very sophisticated, well-organized operation. And I say that because this bill was introduced on April 10th; the bill went through the House, had a House committee hearing, passed out of the House and came over here and we had a hearing in the Insurance Committee...I mean, the Judiciary Committee a couple weeks ago. There was not one centila of testimony regarding the two strongest arguments made on this floor, and that was a proliferation of new lawsuits and an increase in cost. If forty-nine other states which do not have this antiquated law had any evidence of a increase in lawsuits or an increase in cost, that insurance industry would have had those statistics in that committee. There was no testimony whatsoever. This bill eliminates a discrimination that exists that should not exist. We talk about recoveries as if there is something improper about somebody recovering under our judicial system and our system of laws for their injuries. Fortunately, we live in a state and a country that allows that. This bill eliminates a bar to a proper suit for serious injuries that everyone else could recover for. Don't bar a spouse from that same right. I urge an Aye vote.

PRESIDENT:

Question is, shall House Bill 2062 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 22 Nays, 4 voting Present. House Bill 2062 having received the required constitutional majority is declared passed. Senator Dunn. On the Order of House Bills 3rd reading is House Bill 2065. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2065.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dunn.

SENATOR THOMAS DUNN:

Thank you, Mr. President. This would create the Illinois Pull Tabs and Jar Games Acts and permit them to be operated in nonprofit organizations. Amendment No. 1 was offered by President Rock. Amendment 2 was offered by myself at the request of the Department of Revenue in conjunction with the sponsor over in the House.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall House Bill 2065 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 10 Nays, none voting Present. House Bill 2065 having received the required constitutional majority is declared passed. Senator Watson on 2102. On the Order of House Bills 3rd Reading is House Bill 2102. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2102.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. In this legislation originally was a provision in regard to an enterprise zone for Centralia. Yesterday, Senator Luft put an amendment on the...the legislation on behalf of the Department of Commerce

and Community Affairs which deleted that provision out. So this has nothing to do now with a enterprise zone for the City of Centralia. It does delete the requirement that a high impact business...businesses be located in a federally designated foreign trade zone or subzone to be eligible for state utility tax exemption and a .5 percent investment tax credit. It allows the redistribution of preallocated funds to others who qualify for corridors of opportunity and it changes the reporting date from February 1st to annually for those reports on the economic development strategy modifications. Be glad to answer any questions, I know of no opposition.

PRESIDENT:

Discussion? If not, the question is, shall House Bill 2102 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 2102 having received the required constitutional majority is declared passed. 2114. On the Order of House Bills 3rd Reading is House Bill 2114. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2114.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. House Bill 2114 provide that public safety agencies would install telecommunication devices for the deaf at their answering points. We passed legislation out of here a couple of Sessions ago which made it possible for many more people to have these devices.

These are...this is a situation that...where there are a number of horror stories associated with people who have been deaf trying to receive emergency services. I ask for your support of 2114.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 2114 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 1 Nay, 1 voting Present. House Bill 2114 having received the required constitutional majority is declared passed. Senator Degnan, that's on the recall. 2157, Senator Barkhausen. On the Order of House Bills 3rd Reading is House Bill 2157. Read the bill.

SECRETARY:

House Bill 2157.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this bill is identical to Senate Bill 126 already passed by this Chamber and similar to House Bill 1957. It again removes the automatic crediting of...for defendants for time served on probation, conditional discharge or supervision and makes such crediting optional with the judge. I ask for a favorable roll call.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall House Bill 2157 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting

*HB 2164  
3rd reading*

Present. House Bill 2157 having received the required constitutional majority is declared passed. Senator Marovitz, 2164. On the Order of House Bills 3rd Reading, bottom of page 12, is House Bill 2164. Read the bill.

SECRETARY:

House Bill 2164.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 2164 permits compulsory retirement of firefighters or law enforcement officers who have attained sixty-three years of age or less. The average age of police and fire departments in the major U. S. cities, there's been studies done, are in...in regards to police the average age of policemen in the City of Chicago, for instance, is forty-two; in the City of New York the average age is twenty-nine. For...firemen, the average age in Chicago is forty-one and in New York it's between twenty-seven and thirty-one. So, there is a large discrepancy. The age used to be sixty-three, it was changed, this would just bring it back to those...that earlier standard, and I would ask for an Aye vote.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 2164 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 6 Nays, 1 voting Present. House Bill 2164 having received the required constitutional majority is declared passed. Senator Collins, 2165. On the Order of...Senator Joyce, for what purpose do you arise?



SENATOR JEREMIAH JOYCE:

Yes, Mr. President, I would like to make an inquiry of the Chair as to...if you will be going to...maybe I missed this, but if you'll be going to 2nd readings today or...

PRESIDENT:

Yes.

SENATOR JEREMIAH JOYCE:

You will be.

PRESIDENT:

Yes. 2165, Senator Collins. On the Order of House Bills 3rd Reading is House Bill 2165. Read the bill.

SECRETARY:

House Bill 2165.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. This bill is...is...it was designed to allow sixteen-year-olds up to the age of eighteen who drop out of school to obtain truancy...status so that they may be able to...or take the advantage of the school district's program for truancy. And after we passed the bill raising the...the age limit, I don't know whether or not this bill is needed, but until such time that the Governor signs it, I would just ask that we...we allow this bill also to go to the Governor's Desk and then it would be up to his discretion. If, in fact, he signs the bill that increases the age limit, this bill probably would not be necessary. So I would just ask for favorable consideration.

PRESIDENT:

Discussion? Any discussion? If not, the question is shall House Bill 2165 pass. Those in favor vote Aye.

Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 2 Nays, 2 voting Present. House Bill 2165 having received the required constitutional majority is declared passed. 2175. On the Order of House Bills 3rd Reading, top of page 13, is House Bill 2175. Read the bill.

SECRETARY:

House Bill 2175.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2175 would authorize a five million dollar increase in General Obligation Bonds to be used as loans to local governments for the construction of revenue producing capital facilities. It also empower Capital Development Board to make such a loan. I know of no objection, I...I recommend an Aye vote.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 2175 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 2175 having received the required constitutional majority is declared passed. 2180. On the Order of House Bills 3rd Reading is House Bill 2180. Read the bill.

SECRETARY:

House Bill 2180.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 2180 would require that a period of what used to be known as parole and is now known as mandatory supervised release begin on the day that a prison term ends when a defendant is released from prison, and rather than at the end of...what would have been the end of the term had the term been fully served. This is a suggestion of the John Howard Association, it's been unanimously supported in the House and in our Senate Judiciary Committee and I ask for a favorable roll call.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 2180 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish. Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 2180 having received the required constitutional majority is declared passed. 2183. On the Order of House Bills 3rd Reading is House bill 2183. Read the bill.

SECRETARY:

House Bill 2183.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Alexander.

SENATOR ALEXANDER:

Mr. President and to members of the Senate, this bill is recommended by the Department of Public Aid. It merely says that in the event that a...a person commences receiving...the department commences paying in a nursing home for a person

that they shall notify the Department of Public Aid of any duplicate payment for services from a private source as a source of...changing the flow of revenue in favor of the Department of Public Aid, and I request an Aye vote.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 2193 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 2193 having received the required constitutional majority is declared passed. Senator D'Arco, that bill is on the recall, I believe. 2193, Senator Newhouse. Top of page 13, Senator Newhouse. On the Order of House Bills 3rd reading is House Bill 2193. Read the bill.

SECRETARY:

House Bill 2193.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. House Bill 2193 amends the Human Rights Act and it provides that an order of the Human Rights Commission requiring that a party pay a certain sum of money be reduced to a judgment upon petition to the court. The department or the prevailing party may thereafter enforce such a judgment as any other judgment for the recovery of money. I'll be pleased to answer any questions, would ask a favorable roll call.

PRESIDENT:

Discussion? Senator Karpel.

SENATOR KARPIEL:

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

Senate. Will the...sponsor yield?

PRESIDENT:

Indicates he'll yield, Senator Karpiel.

SENATOR KARPIEL:

Senator Newhouse, does the Department of Human Rights support this bill?

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Senator,...can we take this out of the record, I'd like to answer that question and I can't right now.

PRESIDENT:

All right. Take it out of the record, Madam Secretary. 2268, Senator Demuzio. 2276, Senator Hall. 2298, Senator Fawell. Oh, Senator Hall. On the Order of House Bills 3rd Reading, the middle of page 13, is House Bill 2276. Read the bill.

SECRETARY:

House Bill 2276.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2276 amends the Civil Administrative Code to provide that the Department of Commerce and Community Affairs shall make grants to the residents to assist them in repairing damage to their homes which resulted from the flood of 1986. The...Senator Geo-Karis, who is the cosponsor of this bill, put an amendment on this to...and they deleted the words "grants" and in line 10 and 11 by deleting "the month of October 1986" and inserting in lieu thereof the following, "the month of September and October." This is the results of

a flood that occurred in the Metro-east area when the power of the pumps went out and the land is low down there of a high water table. As the results of this, the Mississippi River backed up and they backed into the homes of peoples up through the sewers and there was no way to shut it off so there was considerable damage. And this is a worthwhile project and Senator Geo-Karis might want to have something to say. I defer to her.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, the bill as amended will only provide loans where they are justified for damage from floods. It applies all over the state, we've had very bad flood damages in September and October of 1986, it does not provide grants. And I ask for a favorable consideration because it's...it's a worthwhile bill, it's a necessary bill considering all the flood damage that has taken place and it's based on a loan basis not on a grant basis.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Sponsor indicates he will yield. Senator Dudycz.

SENATOR DUDYCZ:

Senator Hall, we...we had...are we talking about the same flood that damaged the suburban...the Chicago...suburban areas in 1986?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Hall.

SENATOR HALL:

I defer to Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Yes, because if you notice it says September and October and we got all that damage in suburban areas and my county and other counties for the most part in September of 1986.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dudycz.

SENATOR DUDYCYZ:

Well, I understand that this bill is directed towards the residents of East St. Louis, but many areas of the state have suffered as a result of that...those same floods and the other areas have not drafted bills to my understanding and came running to the state.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator...

SENATOR DUDYCYZ:

Now, I understand also that East St. Louis has already received seven hundred thousand dollars from Build Illinois funds for flood gates. And why are we giving special consideration to the area of East St. Louis and not the suburban Chicagoland area?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator Geo-Karis.

SENATOR GEO-KARIS:

...if I may explain, Senator Dudycz, the bill was amended, does not apply to East St. Louis alone, it applies anyplace in the state that was damaged by floods in September and October of 1986. That's what the amendment did. I put the amendment on, it provides loans and not grants. It covers the whole state.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Senator Hall, you keep saying the pumps failed. The information that was given to me from some people in that area, wasn't the pumps that failed, the floodgate collapsed which...makes it the fault of the sanitary district. You...I believe in committee kept talking about the pumps failed and so did the other gentleman who was a witness for you. But information given to me was that the floodgates failed, it wasn't necessarily the fault of the pumps. Would you please illuminate this little difference?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

I'll be happy to, Senator Davidson. You're absolutely correct that the pressure builds up at a certain amount and when you are...below the level of the flood stage of the Mississippi River that the force of that river moved that pump...those gates and moved them several yards up out of there, and when it did that, it put so much pressure at one time that it blew out the...the pumps...the failure, they just couldn't take it. For instance, down there where we have a high water table that...just take Interstate 74 down there that...if there is...Department of Transportation did not pump twenty-four hours a day against the Mississippi River, we'd have ten, twelve feet of water...on...on the interstates. It's just one of those situations where you have a high water table. But you absolutely correct, the floodgates did fail and so did the pumps go out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Zito.

SENATOR ZITO:



Yes, Mr. President, just simply to ask leave of...of the Body to be added as a cosponsor of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Zito to be added as a hyphenated cosponsor. Is leave granted? Leave is granted. So ordered. Senator Geo-Karis.

SENATOR GEO-KARIS:

Just to close. Mr. and Mrs...I mean, Mr. President and Ladies and Gentlemen of the Senate, please keep in mind that this bill doesn't affect just East St. Louis, it affects the whole state, it provides loans from DCCA where they see it's justified to people who've had damage...bad flood damage in September and October of '86. So I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 2276 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 12, none voting Present. House Bill 2276 having received the required constitutional majority is declared passed. We'll try to pick up the pace a little bit. House Bill 2298, Senator Fawell. House bills 3rd reading is House Bill 2298, Madam Secretary.

SECRETARY:

House Bill 2298.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. There are two parts to this bill; the original bill called for...physical ed. courses in grade nine through twelve to include training of CPR, and the...second part of the bill requires compulsory school

attendance, raises it from sixteen to seventeen. We had quite a debate on that, and I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not...Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I rise in opposition to this bill. If we debated over the past few weeks the problems of funding education without a tax increase, I invite your very careful look at what we are doing here. We are increasing by state mandate the compulsory attendance age from sixteen to seventeen. Now let me explain to you what that will mean in every school district in this state. By increasing the mandate...the age of mandate from sixteen to seventeen, school districts that may have optional programs from their dropouts or for the kids that want to have alternative education opportunities and are presently funded by local money or some optional state program, this will be a new state mandate and we are required to fund it. Now we passed out earlier the school appropriation bills at last year's level. What that means is that if you pass this bill today, you're going to have to take some money from a program that we are presently funding...that the school district is presently funding and put that money into the new mandate of seventeen year age. Now there may be some very strong arguments which we covered the other day, and if our resources were there, I'm in full support of this. But I think that we are foolish...foolish to increase the mandatory compulsory age of attendance when we can't even fund the programs that we have committed ourselves to up through sixteen. And you may hear that there are a lot of programs already out there. Well, ladies and gentlemen, the moment this bill is signed into law, with the State Mandates Act any local district and everyone that falls into this description that has these programs is going to

shift their local money out of these programs and send the bill...for the program that will be delivered under the new mandate will send the bill to the state. If that...if I was a school superintendent, that's what I would do and your local superintendent is a lot smarter than I am. This is not the time to increase this compulsory age. The only reason we're doing it...the only reason we're doing it, ladies and gentlemen, is because the Governor said in his budget message that one of the welfare reforms ought to be to increase the...the age of compulsory attendance. His staff messed up and didn't introduce a bill. If there was a bill introduced, we would be able to tell you specifically what the cost impact of this is. Now you will remember that Senator Kustra and I had a little exchange the other day about the costs. The state board gave me a worthless piece of paper. I asked them specifically two days ago to spell out the costs of this program and I gave them...and I won't bother reading the letter, specifics...the state board has failed to respond to me and they...they had this letter two days ago. You know why they haven't responded, ladies and gentlemen? Because they are afraid to tell you what the cost is that's why they haven't responded to this. If we're going to be fiscally responsible, if we're going to live up to the commitments that we have made to children through the age of sixteen, you must vote No on this bill. The money isn't coming from the heavens, we don't have it yet. Bring the bill back if we have a tax increase, but today you can't vote for this bill. I urge a No vote.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. We have at least four or five lights. Senator Hudson.

SENATOR HUDSON:

I didn't hear that. Thank you, Mr. President. Ladies and Gentlemen of the Senate, this is going to come...as a

shock to Senator Berman, but for once I have found a bill and a position that he takes on this particular measure that I can agree with for his reasons. End of speech, and I urge opposition to this bill for the reasons that he has mentioned.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra:

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Now I'm really confused. First of all, let me continue where Senator Berman left off. He's absolutely right, he did ask for a fiscal note and he did get a response, and the fiscal note said that the impact...the fiscal impact would be minimal and maybe that isn't as specific a response as you would like, Senator Berman. But let me read a paragraph of that fiscal note response which I think does explain why the state board could honestly say the impact is minimal. "The State Board of Education estimates that the fiscal impact of compulsory attendance amendment from sixteen to seventeen years of age will be minimal. The amendment increases the compulsory school attendance age by one year. The amendment allows students, parents and school personnel to have access to a wide range of educational program opportunities. Senate Amendment 1 does not require the establishment of any new educational programs. Programs from which students may elect to participate are already established in districts currently receiving state, local and Federal funds to support program operations. For these reasons, the State Board of Education believes that the cost will be minimal." The other point I would make is that this bill does not go into effect until July 1st, 1988. So, if you're talking, Senator Berman, about what kind of fiscal impact this is going to have next year, the answer is zero, no fiscal impact next year. And I assume sometime in the next year we'll solve the state's fiscal

woes. But as I pointed out on 2nd reading and I say again to you today, this bill doesn't necessarily mean that the state has to come up with the money. I find it interesting, Senator, that you've never before argued this line of reasoning as we've passed so many other mandates around down here. I think the key here is that we have these programs operating now at the local level. What we're doing is saying that kids should be forced to stay in school that extra year, and remember the flexibility they're given, they can go to summer school, they can go to evening school, they can go vocational route, they can go academic route. We're not forcing them to stay in the traditional classroom. For that reason, I think this represents a good piece of public policy, a good piece of educational policy for the State of Illinois and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Senator Berman, you haven't fooled me, you may have fooled a few people. Some of us are a little slicker than you think. I figured out that since almost all the kids in my school district stay in school till they get a high school diploma and they don't drop out, and since the school formula is based on...attendance, it's not going to help my district with any state money. But since a lot of people in Chicago...a lot of kids in Chicago drop out, if this bill keeps them in school, Chicago is going to get a lot more money through the formula. See, now...and Senator Berman is arguing against it thinking we wouldn't figure that out. Well, I'm going to surprise you, Senator Berman. I'd rather spend the money in the School Aid Formula to keep those kids in school in Chicago than have them on public aid. I'd rather see them getting educated than sitting around stealing the hubcaps in Senator Marovitz's district. I know it's been

tough on hubcaps in your area, I know the problem. I'd rather put a few more dollars in the School Aid Formula. I just wanted to let you know, Senator Berman, you hadn't fooled us, we're going to do what's right for a change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you...thank you, Senator Schaffer. I...I had a little...I had a problem trying to understand why Senator Berman was fighting...against this bill, and...and maybe you're right, I'm sure was, you know, reverse psychology. But let me say that Senator Berman made a statement that...that it would be foolish for us to pass this bill at a time when we did not know whether or not we had the monies to...no, I'm sorry, he said that when we have funded education at last year's level, which most certainly have not provided the necessary...monies to meet the needs of education in this state this year. But I find it a little strange when we talk about education reform and our commitments to education reform, Senator Berman, when we can have education reform in this state which allows at certain high schools in this state seventy-nine percent of the students to fall through the cracks, to drop out with no education at all. I think when we think about that kind of education reform, we really need to go back and define what do we mean by education...reform and really what do we want to accomplish in public education today, and whether or not that education that we are providing is meeting the needs of the students, and there is no greater need than to ensure that that student get the basic skills to go out into society and be a productive human being. That is not happening for a considerable number of students in this state. Now I think it is foolish for us to talk about monies for dropouts and yet we do nothing for drop-out prevention. That is foolish.

That is not cost effective to put monies in outside programs while we put no money into the schools to prevent students from dropping out. I think this is a positive step in the right direction and that every responsible Senator ought to vote for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Holmberg.

END OF REEL

REEL #4

SENATOR HOLMBERG:

Thank you, Mr. President. In response to Senator Collins, I'm not sure I see this additional year as drop-out prevention. Drop-out prevention is certainly one of my top priorities and we know it must begin many, many years before this. This can become, I think, rather drop-out holding. I think we have through educational reform specified this was one of our top priorities in the way of an optional program and to see whether or not the General Assembly was really earnest about it, asked for a doubling of that money last year, which the Governor vetoed and we failed to override. As I mentioned before on debate on the amendment, our colleagues on the other side chose to include that very program in their 502 Plan as one that we could do without. Now that was optional monies, this is compulsory money. When you're talking about a fifty percent drop-out rate in some school systems, many others twenty-five to thirty percent with those remaining students staying in the program, we have yet to find out what the cost will be, they will be tremendous. It will mean additional buildings, it will mean additional classroom space, additional cost at every single level and we don't have the figures yet. Senator Kustra, if there's going to be a one-year delay before we can put this into effect, why not just pull the bill...pull the amendment and let's wait and see what the costs are, then all of us can be with you. If the money is there, then this is certainly the direction we want to go, but this is not the time, this is not the year. We cannot mandate an expensive program like this at this time.

PRESIDING OFFICER: (SENATOR DEKUZIO)



Further discussion? Senator Thomas Dunn.

SENATOR TOM DUNN:

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

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Sponsor indicates she will yield. Senator Dunn.

SENATOR TOM DUNN:

I'd like to know, Senator, does this mandate CPR teaching in high school?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Fawell.

SENATOR FAWELL:

It...what it does is it mandates that somewhere in the P.E. course, nine through twelve, they get the CPR...training.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dunn.

SENATOR TOM DUNN:

Well, Senator, when I sponsored the bill to mandate CPR training in the State of Illinois, your side of the aisle properly...raised the question as to how much this would cost and my investigation was that this would cost approximately six hundred dollars per dummy to be used and that in an average high school, you would need more than one dummy in the school to be used to teach CPR. Do you have different information on who's going to pay for it?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Fawell.

SENATOR FAWELL:

Well, using your answer, you said that the American Red Cross had these dummies available and, therefore, we could use those.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dunn.

SENATOR TOM DUNN:

That...that is not correct and that's the exact reason I put my bill into a subcommittee because no one will provide these dummies because of the expense. So what your bill says is that the local schools...every local high school will have to go out and expend somewhere between six hundred and eighteen hundred dollars for dummies in the State of Illinois, and that's why I put my bill in a subcommittee until we could iron out that problem.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Further discussion? If not, Senator Fawell may close.

SENATOR FAWELL:

Thank you, very much. I think most of the arguments have been given in this...on this Floor. I think you realize now that this bill does not go into effect until July 1st of 1988. There are options that these seventeen-year-olds can use and let me, to end, give you some statistics if we don't do this. A lot of you know that I have been working with...with Director Lane and the prisons to try and get this education put into the prisons, and the reason I have been doing that is because the average age of a person in our state is twenty-four and, frankly, most of them are functionally illiterate. They are...they are the dropouts that we're talking about. It's a lot cheaper certainly to keep those children in school and to give them the ability to read and write so that they can have a job when they get out or to...to...to get the vocational training that they need in order to get that job than it is to have them end up in prison and be spending twenty, twenty-three thousand dollars a year to keep them incarcerated and...and...and start this process that never seems to end. I think this is a good bill and I solicit your Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR DEWUZIO)

The question is, shall House Bill 2298 pass. Those in favor will vote Aye. Those opposed will vote Nay. The

voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 16, none voting Present. House Bill 2298 having received the required constitutional majority is declared passed. 2323, Senator Woodyard. House bills 3rd reading is House Bill 2323, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2323.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

...Bill Miller is...Sangamon State University has requested permission to take some still photos for the view book. Leave granted? Leave is granted. Senator Woodyard.  
SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. House Bill 2323 when it left the House actually would expand to include authorized dealers in addition to manufacturers those who could install the high backed seats in school buses. There was an objection...or a concern by some of the authorized dealers about their liability and so one of the amendments actually took that part of the language out of the bill, and at that time, the bill didn't really do much of anything. Senator Rigney attached an amendment yesterday which is certainly a good amendment and expands the definition of a vehicle that can be sold by Department of Transportation to local governments to include self-propelled equipment, tractors and...and pickup trucks and things like that to give...the local governments the first opportunity to purchase that kind of equipment, and that's what the bill does at the present time and I urge your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

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

HB 2326  
3rd Reading

2323 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator Hall. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 2323 having received the required constitutional majority is declared passed. House Bill 2326, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 2326.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 2326 amends the Civil Administrative Code, the Marriage and Dissolution of Marriage Act to permit the Department of State Police to register fictitious vital records for purposes of undercover investigations and witness protections. The bill was amended to limit the purposes for which false records could be used to...to protection for witnesses and law enforcement personnel and requires...it now requires the director of the state police to determine that normal investigative procedures are otherwise inadequate, and it further provides for destruction of false records when they are no longer needed. The bill has been unanimously supported all along the way and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 2326 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are

none, none voting Present. House Bill 2326 having received the required constitutional majority is declared passed. All right. The next one is on recall. 2328, Senator Barkhausen. House bills 3rd reading is House Bill 2328, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2328.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 2328 amends the Drug Paraphernalia Control Act to increase the penalty for selling or delivering drug paraphernalia to a person under the age of eighteen by a person over the age of eighteen from a business offense to a Class A misdemeanor. The bill was on the Agreed Bill List in the Senate Judiciary Committee and I'd ask for another favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall...Senator Collins. Senator Collins.

SENATOR COLLINS:

I'm...question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield.

SENATOR COLLINS:

...Senator Barkhausen, I'm not familiar with this bill, but I'd like to ask a question in regard to a problem that I have back home in my district and that is the selling of drug paraphernalia, and it's my understanding that due to several court cases pending as to the definition of drug paraphernalia, that the law is not...cannot be properly enforced. Does this bill do anything to clarify that?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

No, it doesn't, Senator Collins. I must say, I'm not aware of any current case law on the subject. This proposal did come from the Department of State Police and the Inspector General, and I imagine they would have been aware of it and would have addressed it if they thought there was a way to effectively do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yeah...there...there...there is a...a court case pending unless it was resolved within the last month or so. There is a pending case which really and in...in fact, the drug paraphernalia, for example, right by my office...they...they sell all kinds of drug paraphernalia there for smoking of cocaine and...and...and other use of drugs and I'm told that it is unenforceable because of the...the pending case.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rigney.

SENATOR RIGNEY:

Yeah, a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rigney.

SENATOR RIGNEY:

Stores in our area routinely sell needles and syringes and things of this kind for administering drugs to livestock, and I assume that that same type of material, obviously, could be used for drug purposes. Would that make it almost impossible to sell, you know, equipment of this kind to a person under the age of eighteen?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I...I should think not, Senator Rigney, that would be a pretty quick way for a prosecutor to make himself unpopular with a major portion of his constituency if he tried to contend that such items fell within the definition of drug paraphernalia.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? If not, Senator Barkhausen, do you wish to close? Senator Barkhausen.

SENATOR BARKHAUSEN:

I would just ask for a favorable roll call...

PRESIDING OFFICER: (SENATOR DEHUZIO)

The question is, shall House Bill 2328 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2328 having received the required constitutional majority is declared passed. 2330, Senator Barkhausen. Senator Barkhausen. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 2330...

PRESIDING OFFICER: (SENATOR DEHUZIO)

Wait a minute, you want that bill called? Do you wish to have that called?

SENATOR BARKHAUSEN:

Yes.

PRESIDING OFFICER: (SENATOR DEHUZIO)

That's what I'm asking, all right. On the Order of House Bills 3rd Reading is House Bill 2330, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2330.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEHUZIO)

HB 2354  
3rd Reading

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 2330 permits the transfer of abandoned weapons and weapons confiscated after a conviction for an offense involving the use or possession of a weapon to the Department of State Police for use in training in its crime lab or as otherwise deemed appropriate. This is another proposal of the Department of State Police and was again on our Agreed Bill List in the Senate Judiciary Committee, and I'd ask for another favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2330 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 2330 having received the required constitutional majority is declared passed. 2350 is on the recall list. 2354, Senator Berman. Senator Berman on the Floor? Senator Berman. All right. House bills 3rd reading is House Bill 2354, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2354.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Top of page 14. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2354 is a request from Senator...from Representative Preston regarding the question of job description for employees of the Chicago Board of Education. There has been an amendment that was put on...effective date amend-



ment that was put on yesterday so that it will be going back to the House for concurrence. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall House Bill 2354 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 2354 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2358, Mr. Secretary. Read the bill please.

ACTING SECRETARY: (MR. HARRY)

House Bill 2358.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this original bill dealt with the Pretrial Services Agency and it still does except that it was substantially amended to repeal the Pretrial Services Program itself. As you will remember, most of us on this side of the aisle, perhaps all of us, voted to...to repeal this particular agency. However, I know there's a strong feeling on the part of some that this agency ought to come into existence and, if it does, it should provide...the original legislation was designed by the Criminal Justice Information Authority to provide that criminal history records shall be retained by the agency and maintained in accordance with written procedures approved by the chief judge of the circuit court in which the agency operates. It was meant to provide a uniform means of...of maintaining these records, and my only point is that if the agency, when

all is said and done at the end of this Session, is going to be in existence legislation of this kind will be...will be necessary in order to properly maintain records. So regardless of how we feel about the agency, my feeling is that we ought to move this legislation along so that we can...can have it if it's necessary if this agency is ultimately in existence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate...that logic is a little convoluted. Amendment No. 1 deleted everything after the enacting clause and repealed an Act that was overwhelmingly approved by the 84th General Assembly, signed by the Governor with some fanfare and was to take effect of July 1 of this year. I can remember at some length having voted in the negative about the discussion about the bail amendment and the preventive detention and the need for this, and it came very strongly from your side of the aisle, and I think to repeal this does truly a disservice to the criminal justice system and certainly does a disservice to the...what now is in place as a program of preventive detention of...of denial of bail, almost wholesale denial of bail. How in the world is a judge to act responsibly if he does not have this kind of information available to him? So I think you're...in your quest to save one million dollars or two million dollars or three million dollars to cut out this program is simply the wrong approach. I stood here yesterday and heard us willy-nilly just throw thirty million dollars right at the corrections and we threw twenty million dollars at mental health and we're worried about one million dollars for a program that...that was overwhelmingly approved and recognized by everyone as necessary if, indeed, the new bail system is to work. I urge a No

vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Barkhausen may close.

SENATOR BARKHAUSEN:

Well, my...my logic, Senator Rock, may...may, indeed, have been somewhat convoluted but that is simply because we...we do not know what...how the House will treat this amendment. I assume your allies on the other side will...will move to nonconcur in this amendment and the thing may well end up in a Conference Committee along with the appropriation bill. So my...my point was only that if...if this agency is to come into existence as...as scheduled to that we ought to have legislation on the books of the kind that was advocated in the bill as originally introduced by the Criminal Justice Information Authority to provide that the records are uniformly dealt with, and in the absence of...of this bill, I don't know where...where that language would come from. So regardless of how we feel about the agency, I...I believe this bill ought to pass and...and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right...the question is, shall House Bill 2358 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 30, none voting Present. House Bill 2358 having failed to receive the required constitutional majority is declared lost. Senator Barkhausen requests postponed consideration...postponed consideration. 2364, Senator Etheredge. House bills 3rd reading is House Bill 2364, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2364.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill does just as the Calendar indicates. It would require immunizations of those students who enroll for more than one class in our public colleges and universities. I would be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 2364 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 4, 1 voting Present. House Bill 2364 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2403, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2403.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank...thank you, Mr. President. House Bill 2403 mandates installation and maintenance of approved smoke detectors in certain facilities. Those facilities include long-term care facilities, community residential alternative facilities, elementary and secondary public and private schools and child-care facilities. Illinois Hospital Association, the State Fire Marshal, Illinois Department of Public Health are registered in favor of the bill. There were no

*HB 2406  
3rd Reading*

dissenting votes in the House or in committee. I urge its passage.

PRESIDING OFFICER: (SENATOR DEMUZIJO)

Discussion? If not, the question is, shall House bill 2403 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? (Machine cutoff)...the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 2403 having received the required constitutional majority is declared passed. 2406, Senator Jacobs. House bills 3rd reading is House Bill 2406, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2406.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIJO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As amended House Bill 2406 creates the Quad-City Regional Economical Development Authority to promote an...activities and facilities in the three-county area of Rock Island, Henry and Mercer Counties. It permits the authority to issue revenue bonds and I ask for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIJO)

All right. Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. As minority spokesman, I just want to say that...to my group that it's a good bill with the amendments and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIJO)

Further discussion? If not, the question is, shall House Bill 2406 pass. Those in favor will vote Aye. Those

opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. House Bill 2406 having received the required constitutional majority is declared passed. Senator Fawell, your light is on. Is...Senator Fawell. 2410, Senator Thomas Dunn. House bills 3rd reading is House Bill 2410, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 2410.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Thomas Dunn.

SENATOR THOMAS DUNN:

Thank you, Mr. President. This bill does exactly what the Calendar says. It allows the Illinois Department of Public Health to establish Level I or II Trauma Centers for every hospital that meets the applicable standards set by the department.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I received communications from St. Therese Hospital in Waukegan, Illinois, which is our biggest hospital there. I received a...communication from the Kankakee Hospital from Doctor Danna telling me that this is not a very good bill because it's a premature reaction and I'm just looking for my notes and if you'll bear with me for a minute. If you want to call on someone else and call me back, please...

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Geo-Karis, you're the only light. Senator Dudycz.

SENATOR DUDYCZ:

I'll stall for you, Geo. Senator, can you tell us the difference between a Trauma I...or a Level I or...and a Level II Trauma Center?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

...Senator Dunn.

SENATOR THOMAS DUNN:

Well, Senator Dudycz, I think now I'll stall for a minute.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Geo-Karis, perhaps you could...break the stall. All right. Senator...Senator Dudycz.

SENATOR DUDYCYZ:

Senator Dunn, I really would like to know the difference between a Level I and a Level II Trauma Center.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dunn.

SENATOR THOMAS DUNN:

Senator Dudycz, I believe a Level I Center is one that gives twenty-four-hour comprehensive care and that a Level II does not serve the public twenty-four hours a day.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you. The communication I received from the...from three different hospital groups, the Evangelical Health systems, Christ Hospital and Medical Center from Oaklawn, Illinois. It was a copy of a letter they addressed to Doctor Turnock and it's in it...Doctor Gary...Malotti, director of Trauma Services says, "It is clear that...from the numbers designating too many trauma centers...it will, indeed, be detrimental to patient care. Being a Level I Trauma Center on an expected minimum trauma volume of six hundred patients...annually it's essential...is recommended by ACS is essential in developing a functional...trauma system." Saint

Therese Hospital, which is my own hospital in Lake County, says that they have worked very hard since 1973 to have a good trauma center and they said that...this bill...if the Senate passes this bill, the trauma...system envisioned the initial legislation would be diluted and Illinois will take a giant step backward rather than bringing itself to the leading...trauma care. Saint Therese Hospital has always been aggressive and innovative in its commitment to health care. And for this reason, Saint Therese Medical Center cannot support the concept of dual designation for...for trauma centers. They...they feel that it's a dilution of care, it would...very expensive for the hospitals, they've got enough...they've got enough expense as it is right now and the letter from the Kankakee County, Joseph R. Danna, doctor, project medical director, who's also director of Emergency Medical Services at St. Mary's Hospital Trauma Center in Kankakee County, he said...the...he would like to voice his opposition to the forces representing House Bill 2410 who presume to...represent the interest of patient care. And he says along with the following organizations, the American College of Emergency Physicians asks you to oppose House Bill 2410, the American Trauma Society, the American College of Surgeons, the American College of Osteopathic Surgeons, the Chicago Committee on Trauma, the American College of Surgeons, the Emergency Nurse Association, the Pre-Hospital Care Providers of Illinois, the Illinois Department of Public Health and the...Council. This bill would allow dual...I'd like to have your attention, this is very important.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, ladies...can we break up the conferences. We are, in effect, bogged down for the moment. Senator Geo-Karis.

SENATOR GEO-KARIS:

This bill would allow dual designation trauma centers and



in doing so would diminish...it would diminish the lifesaving powers of the trauma centers. It would limit the expertise of my physicians and my staff. It would permit unnecessary debts. Perhaps this sounds a bit strong, but I am aware of the need for clinical experience to maintain proficiency and I can show you the documentation with additional trauma centers their opportunity for critical experience will be...diminished. That is the real issue, the level of care provider for trauma patients. The Illinois Hospital Association is neglecting patient care as being the number one issue. It appears they prefer to steer a course dictated by marketing pressures and I ask that you look past the distractions of cost market shares and the observed assertions that abound this matter. I ask that you focus your attention to more important factors, saving lives. There may be a hundred little reasons in favor of dual designation, but saving lives is not one of them. On behalf of myself and other caring physicians and the patients we could save, I urge you to fight the passage of House Bill 2410. Signed, Joseph R. Danna, Doctor, Director of Governmental Affairs from Kankakee and that's from the Kankakee County System and also from St. Mary's Trauma Center. We have the same problems with the St. Therese Hospital in Waukegan, the largest hospital in Lake County, Illinois; the Evangelical Health Systems, as I said, from Oaklawn is opposed to it and I don't think this bill is right at this time and I...and I oppose the passage of it.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Further discussion? Senator Jeremiah Joyce.  
SENATOR JEREMIAH JOYCE:

I, too, rise in opposition to this and for most of the reasons that have been expressed by Senator Geo-Karis. I spent considerable time with the people from the emergency room and basically what they say is that if you have a unit

that is highly skilled and highly trained and that they are not kept in condition, then they are going to lose that edge that they have. And, you know, it may sound a little strange coming from a medical profession that there would be this distinction if it isn't kept up, but I sat and I sat for a long time and I sat with a...a pretty bright group of people, most of them who teach in medical schools, and they say that this is clearly the case, and for that reason, I am opposing 2410.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? If not, Senator Thomas Dunn may close.

SENATOR THOMAS DUNN:

Thank you, Mr. President. Just to point out that this came out of committee 11 to nothing. The Illinois Hospital Association supports it, Carle Clinic supports it and the Illinois State Medical Society supports it. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEHUZIO)

The question is, shall House Bill 2410 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take...take the record. On that question, the Ayes are 45, the Nays are 13, 1 voting Present. House Bill 2410 having received the required constitutional majority is...declared passed. House Bill 2433, Senator Jones. House bills 3rd reading is House Bill 2433, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2433.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. House Bill 2433 as amended is the rewrite of the Nurse Practice Act. It is the same as Senate Bill 1217 which passed this House...I mean, passed this body overwhelmingly over a month ago. There are two major changes in...in this bill. It creates the Nurse Licensure and Disciplinary Fund and...and it restricts the ability of R & E to assess fines. Each and...each individual here know what happened last month and there was arguments on this Floor as it relates to negotiations. So let me bring you up to date as to what has transpired. Senate Bill 1217 passed here on May the 22nd. Since that day, there have been four meetings. The issue as it relates to entry into practice has not changed; as a matter of fact, the groups that are opposing, mainly R & E, refuse to discuss this issue. The community colleges across the State of Illinois, the majority of...are the nurses support the current entry into practice, that is our two-year community college program, our diploma schools and baccalaureate degree as a requirement to be a licensed RN in the State of Illinois. The question on this issue, ladies and gentlemen, is whether or not we are going to slam the doors in the face of people who have qualified to become RNs in the State of Illinois, and particularly in the southern region of the state where many persons do not have access to a university or a big major private college in order to become an RN. There has been no reports as it relates to the quality of health care in this state or any other state as...as...as a result of our two-year program, our diploma program as well as our baccalaureate. A minority of the RN nurses in the State of Illinois do not speak for the majority of the nurses in the State of Illinois. I don't think seven thousand speak for seventy thousand, but I know you have been bombarded with phone calls and et cetera, but we must keep this issue in the forefront. This Body spoke on May 22nd, I wish you would

speak as well on 2433 because 1217 was put into an interim study. There is nowhere...there was no way to place a bill that deals with the entry into practice...as well as the rewrite of the Nurse Practice Act. I encourage you to vote Aye on 2433 and keep available to the men and women across this state the access to the RN program through our two-year, our diploma schools as well as our baccalaureate program to become an RN and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Netsch.

SENATOR NETSCH:

If the sponsor would yield for a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR NETSCH:

Senator Jones, let me just be clear about this. The bill as it is now before us does not in any way change any of the educational or entry requirements for any of the categories of nurse licensing, is...is that a correct statement?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

It does not, it retains the current entry into practice for...to become an RN nurse.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

...I assume that at the moment then is...is satisfactory to some groups and not satisfactory to other groups?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

It is...it is satisfactory to a majority of the RNs, it's satisfactory to the community college and its program, but a

minority of the nurses, relatively few who represent INA are opposed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Assuming that this bill passes and is signed into law and I...I'm aware of the fact that we must do something to the Nurse Practice Act before the end of this year, at least I assume we have to, I think it sunsets on December 31st. So we...we have to address the issue one way or the other, but assuming this bill passes and becomes law, I assume then that if there were still some interest in trying to make some accommodation for the higher level of education, the...the baccalaureate nurse, that that could be addressed at some later time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

You are absolutely correct and one of the things that was so interesting in the bill that INA put in in the House, they didn't want the change to take place till 1995. So if it was such a crisis...as far as the quality of health care, why wait till 1995? You follow what I'm talking about? It...it is for that reason that this bill should proceed and move along, that this Body should pass this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

I'm sorry, I was with you until you said something about 1995, and I did not either hear or follow that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Well, INA proposed that the change from a two-year or a

diploma school for...as a requirement to become an RN that that change take place in 1995.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well, thank you. I just wanted to be up to date on...on the status of it. I suppose like a lot of people, it's not comfortable to be caught in the middle of what we commonly call turf battles here. I think there is a...a valid point which the...the organized nurses who want the higher degree have raised in terms of the future, because there clearly is a...and a very high level and complicated level of nursing that is becoming more and more a part of the system. However, in the meantime, it seems to me, A, we have got to do something to address the...the Nurse Practice Act and, second, I don't think we really want to be in the position of undoing any of the categories that have been part of the system up to now and have been very useful. So I think the uncomfortable but only compromise at the moment...our only position at the moment really is to vote Yes on 2433.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Raica.

SENATOR RAICA:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR RAICA:

Senator Jones, it's my understanding from INA that they are in negotiations now and that they are very close to a compromise?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

From my understanding that is not so and the representa-

tive from R & E is right behind you and you could easily have asked her that question and that is not the case. And the reason why that is not the case, as I indicated in my opening remarks, there have been four meetings since May 22nd when we originally passed Senate Bill 1217, and those four meetings...the issue as it relate to entry into practice educational requirement, they refused to even discuss that issue. And so if you are close to an agreement, then you will discuss the most critical part in which they are trying to change.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Raica. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DeANGELIS:

At the risk of incurring the rath of the chairman of the Insurance Committee, who outweighs me by about sixty pounds and probably is a lot more agile too, the so-called...I have a couple of questions, Mr. President. The so-called negotiations that you seem to be so informed on, is there any other legislator that's as informed as you are on these negotiations?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Well, I can't speak for any other legislator that's...that...that is...that is...that well informed, I can't speak for them. I don't know what any other legislator know about the negotiations, but as...as the sponsor of the bill as such, I try to keep...you know, myself keenly aware to what's going on. As I indicated, the bill passed, I put this amendment on this bill week before last. If a person

was really concerned about all of the critical parts in this bill, don't you think they would come in and say let's sit down and see if we can do something about this or that? So this is what I meant about being seriously involved rather than just being opposed to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

...you know, there's a difference between negotiations and unconditional surrender. Now, just a minute, Senator Jones. I received letters, college in DuPage and other schools, that said that they had no difficulty with two types of designation. We're not talking about decertifying anybody as a nurse, we're talking about two designations and from what I understand...and I have to tell you, frankly, I'm not getting any input from anybody, but from what I understand that's the major course...or the major topic of disagreement. Now, are you telling me that the INA doesn't want to talk about that or the community colleges don't want to...who does not want to talk about that which is the major topic and I'll tell you whether it's negotiations or surrender?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones...Senator Jones.

SENATOR JONES:

The entry into practice with the three level...levels we currently have...I know the community colleges and the other nurse's group that want to maintain the current entry into practice as indicated in the meetings that they prefer this to remain the status quo. Those who are opposed says that...it's okay providing that you do not...you cannot be...called a RN, that title should be reserved for only those who hold a baccalaureate. Now, if we are talking about health care and service to patients and they all take the same exam, Senator DeAngelis, they all take the same exam,



the passing rate for the community colleges for the baccalaureate as well as the diploma school is about the same. So those who go to a baccalaureate school...to receive a baccalaureate degree that is, they do not begin taking nurses courses until the...the...the last two years of college. So there is no problem as you talk about as far as qualifications who are the best. It's a question as to who wants a title. If it has served us well and done a good job up to this point, if it's not broke...then why fix it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Jones, that's...that's a real fascinating allegory on the nursing education and training, but let me point out to you a couple of things, one, is that you may well take a test for something that is highly specialized and fix your training on passing that test and I have a problem with that. I never...I never talked about decertifying in my initial comments but, you know, we are getting into the state of medicine that goes way beyond just the manner in which we deal with the patients. There's a lot of...there's a lot of...there's a lot more specialty being required; for instance, there are a lot of computer work being done in hospitals right now, and I'm not suggesting that we...we get away from the initial job of nursing but, my Lord, I can't think of any profession...any profession or anything that we certify that doesn't take into consideration different levels of education. In fact, almost every Act that we have...that we amend, we ask for additional education and this particular instance we're saying, well, no, we don't need to. And nobody is saying that the people that are in the two-year program...and I've got to tell you, I got more letters from those people than I did from the other people, aren't entitled to be in service as a nurse. But let's give those

who choose to go on further and learn a little bit more of the nursing the opportunity to be recognized, because I want to tell you, even if we don't and if you don't think it seems to be that necessary, why is it that in many positions in the nursing field it requires a baccalaureate degree?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...was that a question or just a statement, Senator? That was a statement. Senator Mahar.

SENATOR MAHAR:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR MAHAR:

I think we're all familiar with the debate on the issue of level of education, and one thing that I didn't realize was in 1217 and apparently is in...in this bill is that the legislation virtually decimates the nursing board which is comprised of nurses with various levels of experience from throughout the State of Illinois, and I'm wondering, Senator, if you could advise us on whose idea this is and who amongst all these factions supports this and what is the reason for it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

I've been informed by R & E that language from R & E was recommended to the minority group there, INA, for changes but they wouldn't even discuss it. And so the things that you are...you have there as it relates to their opposition, the reason why...if they won't discuss these issues, then they're not even negotiating. You understand what I'm saying?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

No, I...I'm sorry, Senator, I...I'm not concerned with who's negotiating with whom. I would like to know the reason why we've removed all the authority and in my opinion the responsibility from the nursing board in this bill according to our analysis, point number three.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

That is not so. The departments shall continue to consult the board for promulgation of rules and regs. as it relates to that. The board is still in place, they're not taking...that is not removed as such.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

They...well, the board still is...is in place; however, they have absolutely no veto authority whatsoever anymore, is that not correct? Why is this, that's...that's the basis for my question. Why have you...why is that part of this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

The board still does all the discipline.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. It's difficult for me to arise on this bill because I think, as most of the members of this General Assembly, I've been supportive of the legislative agenda, the Illinois Nurses Association over the past few years since I've served here. But I have a...I rise in strong support of this bill and I'll tell you why. I don't know who Senator

DeAngelis heard from but ninety-five percent of the nurses that contacted me in my district were for this legislation and against the proposed legislation being offered by the Illinois Nurses Association. I have a concern for this reason, especially in the rural areas of the state where medical health care is being threatened right now with the closure of many rural hospitals thus making it more difficult for our people to receive adequate medical service, especially in those areas, we have the responsibility of maintaining as quality and as cost efficient health care as we possibly can. I talked to the hospital administrators, I talked to the nursing home administrators, I talked to those people in the sensitive areas of my district where health care is being threatened and their greatest fear was that...their greatest fear was that this legislation proposed by the Illinois Nurses Association would drive up the cost of health care and thus make those already tenuous hospitals and other health care services available to our elderly, to our rural, to our poor populations all the more susceptible to going out of business. That's what I have to be concerned about and that's why I rise in support of Senator Jones' bill, because I don't think we can afford additional cost to health care especially in those sensitive, medically underserved areas of this state and I rise in strong support of this bill for that very reason. I don't think that there's any objection to the quality or competency of the health care as it presently exists by our nurses under the present Act, and let's extend it and keep it the way it is. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR JACOBS:

I guess to pick up a little bit on what Dawn said earlier...Senator Netsch said, we do have until December and I agree with Senator Poshard, most of the nurses in my area and I have a junior college...or a good number of them have the two-year degrees and they serve their purpose and they serve their purpose well. But I have just one question and...it's not really a flippant question, it may sound like it, but inasmuch as we still have time, negotiations can continue. Are we, as Democrats, in effect, locking out the IWA?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

...that is not the case. There are still two Chambers to this Body and there are many health care profession Acts that we have acted on as such and...but this one, from what I've been informed, they've been discussing this issue for the last two years and we do need a bill alive, this is the bill right here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jacobs.

SENATOR JACOBS:

I understand that, Senator, but I think in most of those cases we were able to come to a compromise. I know with the doctors and everyone else, we've come to some sort of a compromise and I understand the position that you're presenting. I really...I really do that...it's hard to negotiate when people don't want to sit down and negotiate, I understand that, and whenever they have a polarized position, but I'm one of those type people who is always optimistic and I feel that anything can be compromised and I think that we should sit down and look at this a little further.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I'd like to address the last statement of Senator Jacobs, if I might. As I view this, this...this is the bill that will bring about negotiations. What's happened is that the bill that the Senate passed earlier went to the House and the Speaker tubed the bill. Now how can you have negotiations under those circumstances? If the Speaker has taken a position with one or the other of these groups, there is no bargaining power on the part of those other people that want to be represented. The Senate took the position that the majority of nurses in Illinois support the bill that we passed out of here which was 1217, and I would suggest to you, Senator Jacobs, if you really want negotiations to begin, you've got to support this bill, because without it, the House is going to write the bill. Now, this is the year that...that nine Medical Practice Acts in Illinois sunset and what have we done with them? There's been agreement on every one of them except this one. You think there weren't differences with the Physicians Medical Practice Act? You think there weren't problems with the social workers and the optometrists, the podiatrists, the psychologists? Of course there were, there are splinter groups in every one of these organizations. This is the only one where the Department of Registration and Education was...unable to get all parties to come to agreement and finally say, well, okay, you know, we have to be licensed, we're all in this profession together, we'll agree. And, frankly, I've been very disappointed at what the INA position has been. They came out, as you recall, early this year and said this is what it...this is what it's going to be and, in effect, I think their position would have squeezed out in the future many of the people that you and I would like to see

licensed in Illinois or at least have an opportunity...to be educated in our community colleges and to become good hands-on nurses. I think we have to support this bill, get the vehicle over to the House, and then if there's to be negotiation, there will be negotiation; but the way we are right now, the majority of nurses in Illinois don't have a vehicle alive and...and that is this vehicle. I urge your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Briefly, Mr. President and Ladies and Gentlemen of the Senate, I concur with Senator Schuneman and Senator Jones. The INA had a bill filed in the House, House Bill 2259...which never got out of the House and then Senate Bill 1217 that we sent over to the House was tubed, it was never called out. The only vehicle we have is this one. This has been amended here which means it has to go back for concurrence, and if there's no concurrence, it will go to a Conference Committee and that's the place where I'm sure the INA and the other nurses' organizations can sit down and hammer out a decent compromise. If we don't pass this bill, we're not going to have anything and Senator Schuneman is absolutely right, but I might point out and tell you that the junior college that I represent and other junior colleges have been in support, the basics...in this bill and I think it's...if we want to get something done, let's send this bill back to the House and the only way we can do it is to pass it here. So I urge favorable passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR JONES:

Yeah, thank you, Mr. President...briefly, let me respond

to a couple of questions that were asked as it relates to the disciplinary board. This board is no different than the physical therapist board, the doctors, the podiatrists, the optometrists, the social workers which you all voted for. They all agreed to the same type of board and disciplinary powers and the authority given to R & E. And, Senator Jacobs, if you serve in this body long enough, you will find that after June 30, the price goes up. It requires more votes for something to become effective immediately and that is what is being attempted by a few to thwart the majority of the people who want the provisions in 2433. So it's wise to vote for this bill now because you will lose your power after June 30th, and I urge an Aye vote on 2433.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 2433 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 15, 7 voting Present. House Bill 2433 having received the constitutional majority is declared passed. House Bill 2437, Senator Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2437.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. House Bill 2437...authorize the establishment and regulation of captive insurance companies and risk retention groups. It establishes pure captive industrial...ensured captive and associations, restricts captives from writing certain types of insurance, requires captive to file plans and...of oper-



ations, annual reports and other information; authorize the organization of religious and charitable trust funds as mutual insurance company...an amendment was adopted last October to the Federal Risk Retention Act in response to the insurance crisis, encouraged the creation of captives by allowing a captive license in any state to transact business in other states without regulations in the other states. Accordingly, up to one hundred thousand...I mean, up to one thousand captives would be established in the next five...three to five years with premium volume in the range of ten to forty billion dollars...several states, most recently Vermont, have enacted legislation to regulate captives. This bill will allow those offshore companies who are currently in...to come into the State of Illinois. If we do not pass this type of legislation, they will be able to operate in Illinois but we would not be able to regulate them as such and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I'm cosponsor of this amendment that Senator Jones has mentioned, and as far as the risk retention issue is concerned, I support that and we have to do it. I support the captive company legislation too. My only concern about it, frankly, is that we're doing something pretty important here pretty late in the Session without any real legislative input or understanding on the part of the Legislature. Now the...the people in the department, the director of insurance and others tell me that...that this is a window of opportunity for Illinois, that a number of these companies will be moving on shore and the idea is to attract them to Illinois and that within the next few months most of these moves will be completed. I have great confidence in the director and in the people who work with him, and it's on

that basis that I rise in support of the bill, but I did want to give voice to some of the reservations that I had but I think it's something we need to do and I support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 2437 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, 1 voting Present. House Bill 2437 having received the constitutional majority is declared passed. House Bill 2465, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2465.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. A couple of years ago when we passed the gang crime package, we allowed the Department of Commerce and Community Affairs to award grants as they saw fit to certain community organizations for the purpose of crime prevention and preventing gang crime. This will just add to those standards which are permissive on DCCA and for certifying community based organizations seeking to receive gang control grants. An application to DCCA for a...a grant must describe potential contributors and the nature and benefit of the project such as the number of youths to be served by the project, performance standards or benchmarks and monetary benefits of the project. There's no appropriation with this and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2465 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 2465 having received the constitutional majority is declared passed. House Bill 2559, Senator Smith. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2559.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2559...I'm sorry, I just got some shocking news, I'm sorry. The department of...that the...the Department of Correction shall create a parent and child reunification program in all institutions and facilities in which during the prior fiscal year fifty percent of the inmates were single parents and who had custody of their minor child or children before they were incarcerated. Number two, the program shall include individual and family counseling prior to the release...at least six months after the release of the person who is incarcerated. And House Bill...2559 is a recommendation of the Citizens Assembly Council on Women. It is part of a package to address the issues...problems of women offenders. I'd like to answer questions; if not, I would ask for your favorable support in this piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I'm a hyphenated cosponsor of this piece of legislation. As Senator Smith explained, this is one of the...bills in a package...of the Council on Women. We had a number of visits to women's prisons over this past year; as you know, all of the councils have only been in existence for a little over a year and there were some very startling and revealing facts that came out of those particular visits and are...worked with the women's prisons. The John Howard Association strongly supports this piece of legislation. It is, indeed, traumatic for these children and for their future mostly that we are deeply concerned that there should be these kinds of programs established. In all due respect, I think the Department of Corrections, indeed, does have...at least they are attempting to have programs that meet the needs of these women. However, in all of the testimony that was heard, this...with social workers and others, these programs are not working satisfactorily. The rate of delinquency where the children are...old enough is substantial and also for those younger children, there is a great deal of confusion and emotional trauma connected with this particular situation for incarcerated women. So I urge your support of this important piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, with all due respect to both of the sponsors of this bill who are not only good friends but...but very noble sponsors and well-intentioned, I must stand in strong opposition to this bill and I'll tell you why. First of all, there are already programs by the Department of Corrections that do, indeed, attempt to get bonding put together and trying to get women and their children together on...in numerous ways, both prerelease and post-release in terms of counseling and other

things. Now that's there and that's in place. Now let's take this one step further. What makes the bonding provisions in this and for the fact of single parents any more important than that potential bonding that could exist with married parents who are in prison but for whatever reason and because of the nature of prison unable to...to have the type of relationship with children that we would have if we were not in prison? Now, furthermore, if you set the...precedent for single women, then I suppose the next and equitable question would be what about the single male fathers who are in prison who might like to have similar bonding type arrangements with their children and so on. I mean, even if you look at society at large that is not in prison and because of the divorce rate or single parenthood, there are bonding problems that...that go on just in society at large. This program costs three hundred and forty-four thousand seven hundred dollars annually. I don't see any need for this. Let me suggest that I appreciate the work that the Council on Women has done, but just because work comes out of any of these councils, and I am one of the general cochairmen does not necessarily mean that that's an imprimatur that is the way we want to go on the State of Illinois. So I would stand in opposition to the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President and to the Senate. The remarks made by my friend, Senator Judy Topinka, were very eloquent; however, to my knowledge, and I stand corrected, there is no post- or after release follow-up by the Department of Correction. Merit parents versus a single parent with regards to bonding where a child has lived with a single parent and that parent for reasons whatever is incarcerated and there has never been a father image and/or a mother image in the home

and that child is thrown into the custodies of an aunt, an uncle or a foster home, it does not learn parenting from either parents. The bill as it is constructed does not...does not exclude single fathers...as formulating a bonding pattern with them, and I would suggest that this Body who is interested in lowering the rates of persons returning into the penitentiary, lowering the loss of our children for good family structure life, while it may appear to be exorbitant in price at this time, that in the long-run it would prove beneficiary to the other programs socialwise that we have...that we have to spend exorbitant funds of money. This is more or less a...preventative measure to bring families back together and to hopefully prevent children and that parent from returning into incarceration. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald, for the second time.

SENATOR MACDONALD:

Yes, I apologize for rising a second time, but I wanted to clarify a technicality. This is...this bill states that these are for single parents. Now it does not mention women, these are for single parents; of...of course, most of the single parents in the women's prisons, of course, are women. But I...I...I just would also like to say that this bill passed out of the House, Representative Jane Barnes was the chief sponsor...hyphenated cosponsor was Representative Curry, passed out of the House with...let's see here, hold on a minute, 113 Yes, No votes, no voting Present and 5 were absent. This...to me is a...is certainly a sensible piece of legislation, with all due respect to the difference of my...my good friend minority spokesman on this committee. Actually, I think that we are all concerned about recidivism, and certainly parents who are frustrated and have no direction when they are reentering society are much more apt to go back to their habits and reenter prison which is much more

costly to society than this three hundred thousand, five hundred thousand or even higher if it goes that high the...the cost would certainly be a preventative cost and I would urge your support of this piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, and sorry to speak again on this issue. Although the bill would refer to parents, as we have discussed it at least in the synopses, according to the bill itself this reunification program that is...is being put forward here applies to all institution and facilities when in the preceding fiscal year fifty percent of the inmates were single parents with custody of their minor children or children prior to incarceration, and the only institution that lives up to that fifty percentile is Dwight. So, unless they're doing something over there that I don't know about, that would be a women's prison; therefore, the program would be limited just to single women and I think that's kind of discriminatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR SMITH:

Thank you, Mr. President and members of the Senate and to my dear friend, Senator Topinka. The reason why we are so woman orientated, if I might say, in this particular bill is because it comes out of the Citizens Assembly Council...of our...that is comprised of women. And I might say that the population of children of incarcerated women has increased from four hundred to over one thousand since 1979, and a significant portion of these children are under the auspices of the Department of Children and Family Services and this is why we're very much concerned about the plight of

people...women who are incarcerated. We ask at this time for your favorable support in this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 2559 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 23, none voting Present. House Bill 2559 having received the constitutional majority is declared passed. House Bill 2560, Senator Smith. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2560.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SAITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 2560 is a recommendation of the Citizens Assembly Council on Women. It is a part of a series of bills to improve the plight of ex-offenders who are released from Dwight Correction Center. The bill attempts to prevent women from returning to prison due to lack of funds to survive. I merely ask for your support on this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I think it should be realized that this bill does two things and I think it...it sets up a bad precedent. First of all, gate money is provided for people...leaving prison so they do have money as soon as they go out of the gates. By virtue of this bill, what it would do would be to allow



people leaving prison, now to go to the head of the line in terms of being able to collect public aid benefits, when there are just as many people out there now in the nonprison population already seeking aid via public aid who are probably very needy, and why we would want to give one group of people this kind of an edge over the others, I really don't understand and I would just submit this to this Body to contemplate before they vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I am also a hyphenated cosponsor of this particular piece of legislation and while what Senator Topinka has expressed to you is, of course, true, again we are dealing with the problem and the study by psychologists, by social workers, by others of...of the issue of recidivism with overcrowded prisons and with the fact that we are trying to keep people out of prison, we are trying to give them direction, we are trying to give them assistance as they return from prison. It is not our intention certainly to go ahead of other people who have...who also deserve welfare attention, but these particular people might not be going back into our prisons and the recidivism would be, at least due to the studies that have been done, would be much less than if they had no place to turn to, and the amount of money and what the counseling that they have currently is simply not adequate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

REEL #5

SENATOR SMITH:

Mr. President and Ladies and Gentlemen of the Senate, again, I want to thank my cosponsor, Senator Macdonald, for helping me out in this. This is truly a...a very sensitive area when women incarcerated are getting ready to be released from prison. It is not much but a little bit more is better than nothing to help them on their way and that's what we're seeking to do. We're seeking to encourage them not to return and if we can help them in any way in a monetary way, I'm certain it will be well benefited and it will pay us off. So, I'm asking you to please support me in voting for this House Bill 2560 that will help...woman who's going to be released from prison. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 2560 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 27, none voting Present. House Bill 2560 having received the constitutional majority is declared passed. House Bill...there's been a request for a verification. Will all the members please be in their seats. Will the Secretary please call the roll.

SECRETARY:

Alexander, Berman, Brookins, Carroll, Collins, D'Arco, Degnan, del Valle, Demuzio, Ralph Dunn, Fawell, Geo-Karis, Hall, Holmberg, Jacobs, Jones, Jeremiah Joyce, Kelly, Lechowicz, Macdonald, Mahar, Marovitz, Netsch, Newhouse, O'Daniel, Poshard, Severns, Smith, Vadalabene, Zito and Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR TOPINKA:

Yes, please. Ralph Dunn, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Ralph Dunn...Senator Dunn. Senator Dunn. Strike his name from the record.

SENATOR TOPINKA:

Senator Berman, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Berman is in the back of the Chambers.

SENATOR TOPINKA:

Senator Collins.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins...she's...Senator Collins is in the Well of the Senate.

SENATOR TOPINKA:

Senator Fawell.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell. Senator Bev...Fawell.

SENATOR TOPINKA:

Senator Mahar, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Strike his name. Senator Mahar. Senator...sitting in his seat.

SENATOR TOPINKA:

Senator Jacobs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR TOPINKA:

I think that puts us at 29, does it not? If it does, I'll stop; if not, I'll continue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On a verified roll, there are 28 Yeas and 27 Nays and the bill having failed...failed to receive a constitutional majority is declared lost. Senator Smith moves to...

SENATOR SMITH:

Would you...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...have the bill put on postponed consideration. Any objection? Hearing no objection, leave is granted and the bill will be placed on the Order of Postponed Consideration. House Bill 2576, Senator Degnan. Read the bill...Madam Secretary.

SECRETARY:

House Bill 2576.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 2576 amends the County Jail Good Behavioral Act, modifies the good behavioral allowance so it does not apply to persons who are convicted of felonies, sentenced to probation or felons sentenced to conditional discharge with periodic imprisonment or people sentenced under the order of court for civil contempt. In addition, Senator Hawkinson has amended the bill to change the definition of good behavior to resolve some problems encountered by some downstate county jails. Absent any question, I move its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2576 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that

question, the Ayes are 58, the Nays are none, none voting Present. House Bill 2576 having received the constitutional majority is declared passed. House Bill 2577, Senator Netsch. Senator Netsch, 2577? House Bill 2580, Senator Marovitz. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2580.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 2580 provides that if a obligor in a support enforcement action fails to appear in court after due notice, the court may order for the attachment of the body, the respondent; provides for procedures for service of the order, taking the obligor into custody and release of the...obligor upon posting an amount of escrow specified in the attachment order. Provides for hearing procedures including criteria for holding the obligor in contempt of court and ordering payments. This bill is backed by the Illinois Department of Public Aid and the effect of the legislation may be to encourage more absent fathers to pay up back support which could increase the Department of Child Support Collections and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Any discussion? If not, the question is, shall House Bill 2580 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wish? Take the record. On that question, the Ayes are 55, 1 voting No, none voting Present and House Bill 2580 having received the required constitutional majority is hereby

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3rd Reading

declared passed. House Bill 2583, Senator Degnan. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2533.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 2583 as amended adds...adds a conviction for criminal sexual assault to the three time loser rule which causes one to be sentenced as a habitual criminal. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Any discussion? If not, the question is, shall House Bill 2583 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, the Ayes are 59, none voting No, none voting Present and...House Bill 2583 having received the required constitutional majority is hereby declared passed. House Bill 2584, Senator Barkhausen. Senator Barkhausen. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2584.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 2584 provides that all policing bodies of the state shall furnish to the Department of State Police copies of fingerprints and descriptions of all minors who are alleged to have committed the offense

of unlawful use of weapons or a forceable felony. Currently, the Juvenile Court Act prohibits the transmission to Department of Corrections, Department of State Police or the FBI of any fingerprints or photos relating to a minor arrested or taken into custody before age seventeen unless the court so orders. The bill creates an exception to this general rule and says the police may transmit fingerprints and descriptions of all minors alleged to have committed an...an unlawful use of weapons violation or a...a forceable felony. I'd be happy to answer any questions, otherwise, would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR D'ARCO)

State your point, Senator Madigan.

SENATOR MADIGAN:

Escorting Lieutenant Bill Ritter and Lieutenant John Hurback of the Illinois State Police are approximately seventy-five young men from the American Legion State Police Youth Program in the gallery and we'd like to welcome them to the...

PRESIDING OFFICER: (SENATOR D'ARCO)

Will the young men in the gallery please rise and be recognized by the Senate. Oh, and women. There's women in there. You forgot to mention that. The young women also. Is there any other kind...no, that's it, huh? Wait a minute. Hold it...hold it here. Adeline, take it easy. All right, Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you, Mr. President. I hope you know your priorities by now, but, anyway, I...I speak in favor of the bill and I would like to be added as a hyphenated cosponsor to

Senator Barkhausen.

PRESIDING OFFICER: (SENATOR D'ARCO)

Do we have leave to add Senator Geo-Karis as a hyphenated cosponsor to...House Bill 2583? Hearing no objection, leave is granted. 2584, I'm sorry. All right, Senator Barkhausen, to close. Discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Question of the sponsor if he'll yield.

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he will yield.

SENATOR CARROLL:

Senator Barkhausen, is it not correct that today a court can...that, in fact, the fingerprints are illegal under the Juvenile Court Act but under court order can be so trans- mitted?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I believe that's true, Senator Carroll.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Carroll.

SENATOR CARROLL:

So, that...what this bill would do then, of course, is to change the Juvenile Court Act to say the mere arrest would submit these fingerprints to all...require that it be submit- ted to all...mandatory requirement to all rather than on a case-by-case basis where the juvenile in the past at least until tried and convicted has been shielded from that type of identification, especially shielded once they reach the age of majority. At this...under this bill, even once they've reached the age of majority, their prints are already on file everywhere, even had they not been found in violation of the Juvenile Court Act. Is that correct?



PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Carroll, I think...I think that's correct. I'm not entirely sure but I think that's correct.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Carroll.

SENATOR CARROLL:

Then maybe you ought to explain to us why we're doing this.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

This is a request of the Department of State Police and the...and the Illinois State's Attorneys Association. It's an attempt to...to have available records of those who...who have committed or...or alleged to have committed unlawful use of weapons violations or a...forceable felony. So, that...if these people are charged with a subsequent similar violation that these...these records are available for investigative purposes.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Carroll.

SENATOR CARROLL:

Well, I do believe under the Juvenile Court Act we have...again, especially in a case prefinding have shielded by some form or other these fingerprints from being disseminated. Part of the purpose, again, being if they've reached the age of majority and have not committed any future...or in the future commit no illegal acts, that there is no past record...that's the whole concept of the juvenile court and the Juvenile Court Act. What you're saying is the mere charging would require the local police to send these fingerprints to the FBI, to the state police and to other law

enforcement officials required instead of having a case where...if there is a reason, the state's attorney goes before the judge of the juvenile court and asks permission to so send these prints around. I have no idea why either one of them would want it and I don't think your answers have indicated any reason whatsoever. I don't think we should be passing this at this time.

PRESIDING OFFICER: (SENATOR D'ARCO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would like to underscore that even more. It seems to me that what is involved here is just a complete abrogation of the whole underlying premise of the Juvenile Court Act and of the treatment of minors who are charged with crimes, even those who are convicted. I don't know why we are starting to carve out an exception and I...I would suppose if there were a legitimate place for carving out an exception, as much as I dislike weapons, I...it might be with respect to even more serious offenses than the ones listed here, and I would also underscore the fact that the way the bill is written it...authorizes the transmittal of the fingerprints and descriptions of all minors who are alleged to have committed the particular crimes specified. So, that it really does not even require a conviction of the juvenile for the particular offense before the fingerprints apparently become part of the permanent record, and I believe that would not be true in the case of any other offense committed by a juvenile and...and, again, I think this is completely contrary to the whole premise of the...our treatment of minors. I...I would strongly urge that we not support this bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I apologize for speaking a second time but, Mr. President and Ladies and Gentlemen of the Senate, I think we better be mindful of the fact that we've had some minors commit some horrible crimes and those who intended to do that too, and there's nothing wrong in supplying this criminal identification to the State Department of Police because...what are...what are we going to do, forget about the victims and just worry about the fact that the State Department of Police has the copies of fingerprints and descriptions? I think we better think about the people we want to help, the innocent victims, and not worry about minors who want to commit offenses that are bad, and certainly forceable felonies are bad. I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen, to close.

SENATOR BARKHAUSEN:

...Mr. President and members, in closing, I would simply point out that these records are currently kept and made available when juveniles are tried as adult offenders under the automatic transfer law. Even when there is no conviction, these records are still kept. So, we are just proposing to extend this slightly for the keeping of fingerprints for the very serious offenses of unlawful use of weapons and forceable felonies...so as to...to have this fingerprint record available for potential future investigative purposes. It does not...mean that one is...is guilty, it simply means that...that if they commit another offense while being tried, which is certainly a frequent occurrence, that this information can be available or would otherwise be available for a subsequent offense, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right, the question is, shall House Bill 2584 pass. Those in favor vote Aye. Those opposed vote Nay. The voting

is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, the Ayes are 37, 17 voting No, none voting Present and House Bill 2584 having received the required constitutional majority is hereby declared passed. 2585, Senator Degnan. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2585.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 2585 includes reckless homicide as an offense for which there is no Statute of Limitations. It's identical to Senate Bill 1409 passed earlier this Session by Senator Severns. Be happy to answer questions.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Any discussion? If not, the question is...shall House Bill 2585 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, the Ayes are 56, none voting No, none voting Present and House Bill 2585 having received the required constitutional majority is hereby declared passed. 2591, Senator Degnan. Take it out of the record. 2594, Senator Vadalabene. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2594.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr...President and members of the Senate. House Bill 2594 authorizes counties to increase their tax levy with the approval of a public referendum for the purpose of providing additional funds for the construction, acquisition and maintenance of county shelter care and detention homes for minors. The bill...modernizes and updates the language authorizing counties to construct and maintain county detention homes in order to comply with the current terms and definitions used in the Juvenile Court Act. It passed the House by 111 to 0. It was on the agreed list in the Senate Judiciary and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Any discussion? If not, the question is, shall House Bill 2594 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, the Ayes are 54, 2 voting No, none voting Present and House Bill 2594 having received the required constitutional majority is hereby declared passed. 2606, Senator Welch. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2606.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does is set up the Municipal Recycling Pilot Project Act authorizing energy and natural resources to make up to ten grams to municipalities for approved recycling pilot projects. This law will

sunset in two years, on June 30...1989, and the idea, of course, is to encourage towns to engage in recycling of waste. The amendment that I added reduced the number of people who have to live in a town to ten thousand people to be able to participate in this program. I'd be glad to try to answer any questions.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Any discussion? If not, the question is, shall House Bill 2606 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, the Ayes are 54, 1 voting No, 3 voting Present and House Bill 2606 having received the required constitutional majority is hereby declared passed. 2607, Senator Barkhausen. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2607.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 2607 would allow a misdemeanor to be placed in the home incarceration environment as an alternative to incarceration where a court found it to be appropriate. Committee Amendment No. 1 covers pre-trial detention, a bail situation as well as the sentencing of a misdemeanor, except for those who have been convicted...or charged with a violent felony. We put a Floor amendment on the bill to add home detention to the Escape Statute and to delete the ability of the defendant to petition the court at anytime for home detention other than the time the offender is actually sentenced or within thirty days

in order to request the modification of the sentence. The bill still may have...some problems with it. There's a possibility that...that this will go to a Conference Committee not to deal with any...any purpose other than the subject matter of...of the bill, but I think it does provide a promising alternative to jail for offenders both in a...in a bail context and also for less serious offenders. I think we can both provide a...a positive alternative to jail and...and at the same time save our local governments or our local sheriffs' departments and counties a certain amount of money, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he will yield.

SENATOR JEREMIAH JOYCE:

Senator, could you tell us, if you know, what the experiences of the other states that have implemented this type of a program have been to date?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

There are just two counties in the state now...our state. I can't speak too well of...or to knowledgably of what's going on in other states. There was a...a conference on this whole subject matter, it took place in my district about six weeks ago. I was...had to be down here for most of it but it was interesting that it brought in judges and court personnel from all over the country that have a growing interest in this area, so I think they see it as promising alternative. I hear from...from my people in Lake County particularly some of the judges and the probation department who are using it

already largely in a...in a bail situation and they like the idea of...of this legislation.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

What you're saying is they're using it...they're using it as a condition of bail, but...you know, I...I don't know, maybe somebody else in this place knows, my understanding is that where it has been tried in other places they're having a lot of problems with it now. At first...first it was applauded but they have a high rate of walkaways and they have these systems that they've set up with phone-ins and...a...computer and all this. My understanding is that...that they're having a lot of problems with it, I don't know. I understand where we're coming from with it and...and I...and I think something...you know, we have to find some way to deal with this problem, but I don't know if this is...

PRESIDING OFFICER: (SENATOR D'ARCO)

...are you done, Senator Joyce? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Yeah, I...I mean, I just don't know what the answer is, to be honest with you. I mean, I don't whether I'm for this or against it...I'm just trying to find out something more about it and I think maybe...maybe Senator Hawkinson will have something to say.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I have serious problems with this bill as it's presently written. It has been amended and somewhat improved by being limited from the House version. So, at this point, the decision would have to be made with Senate Amendment 2 at the sentencing hearing. That improves it somewhat. I still have problems with some parts of the



bill. However, on the...the assurance that this will go to Conference Committee and that those problems will be worked on and if we can't reach an agreement, we won't call it over here, I will not oppose it on 3rd reading.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I was at a...a Legislators Convention and saw these devices. Frankly, it was an ALEC's Convention which about...is about as conservative as you can get. My...my...my feeling is if they felt that it was viable enough and...the states use it,...I would think it would be a good device at least for us to try. They do look like shackles, very frankly, and they are put on ankles or wrists, usually ankles, of...of people that they are trying to keep in the house and there is absolutely no way they can get them off unless the person that has the device to take them off after the sentencing is over takes them off...there's no hacksaw or anything else that can saw through them. I don't know how in the world they would...escape with them.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right, Senator Barkhausen to close.

SENATOR BARKHAUSEN:

Mr. President, I'd simply ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR D'ARCO)

The question is, shall House Bill 2607 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 41 Ayes, none voting No, 11 voting Present and House Bill 2607 having received the required constitutional majority is hereby declared passed. House Bill 2609, Senator Fawell. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2609.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. What this bill does, it allows...it adds the word "services" to the act of unsolicited goods, and it also says that a vendor who makes an unsolicited initial contract with a new customer to sell lawn care services involving a series of applications to the lawn...must have a...a written order, and I will be glad to answer any questions and solicit your Aye vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

Yeah, let's clear the board. We've got a little problem with the electronic marvel. So, it's a pretty little...but why don't you tell us more about this bill, Beverly.

SENATOR FAWELL:

This is a little merely bill. Let me...let me tell you where it's coming from. Representative Kirkland...was solicited by a...a...by a lawn service and...and...and said he would take one application after several discussions. After they put the application on, and they had a verbal agreement that this would be just one, while he was down here in Springfield, they came around and put a second one on and then started dunning him for the second application, and...that was the result of this bill. I have also had a...a similar experience. I said I would take two applications instead of the four and I wanted one in the spring and one in the fall and, sure enough, they came in the spring and then while I was down here in Springfield, they can and put a second one on. I was about to pay for the second one anyway...so, I paid for it, but basically what the bill says is, listen, if we're going to do this and you don't seem to get

the message that people have...let's just have a written contract and then everybody will know where everybody stands. I think it's a reasonable bill and, therefore, solicit your Aye vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right, a number of people have indicated they...they wish to speak on this bill. Senator Rock.

SENATOR ROCK:

Yeah, thank you, Mr. President and Ladies and Gentlemen of the Senate. I don't have any problem, Senator Fawell and Mr. President, with the first part of the bill which puts services in the category of those unsolicited things that we can...or are under no obligation to pay for. The problem, however, is with that second part, with the House amendment that aims specifically at lawn service. Any of us who have ever had a lawn service know what the current practice is and the fact of the matter is, you are just flying in the face of current practice and there is not a lawn service that I'm aware of in this state that...that utilizes written contracts. It just doesn't work and I...I think that we are making a dramatic mistake when we attempt to...because of one incident, or perhaps two, that we...we have to change everybody's way of doing business to accommodate the fact that one company made a mistake. I...I just don't think we ought to be doing this and I would urge opposition to House Bill 2609.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right, Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. I reluctantly rise to oppose my colleague's bill for some of the reasons mentioned by President Rock. Due to the fact that nowhere in the bill do we actually define lawn care services, you will actually find yourselves in the posture

of...of maybe getting the kids in trouble that actually mow your lawn...because of that nondefinition. In other words, the way I read this bill, it sounds like that if you hire a kid to...to mow your yard, you got to have a written contract with him and I don't think we want that, and also I would like to point out that the State Chamber and the association...Employers Association also do oppose this bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would just like to point out that I think that there is a deficiency in the drafting of the bill and that is in Section I it says, "Unless otherwise agreed where unsolicited goods or services are delivered to a person, he has a right to refuse to accept delivery of the goods or services and is not bound to return such goods to the sender." So, apparently, by excluding anything about services, you have to return the services. So, I think it's drafted incorrectly and...and I think it's subject to interpretation that way by the court, but I think that this is probably a bad idea. If you have to have a contract for lawn services which is a continuing obligation, why not also have one for your newspaper delivery, your milk delivery, anything else that is continuing, and why...why single out lawn services? You know, just because Representative Kirkland had a bad experience with somebody, I don't think we should enact a law to make him feel better.

PRESIDING OFFICER: (SENATOR D'ARCO)

Yeah, I agree with you, we should have a roll call. Senator Schaffer. No, wait a minute, hold it...

SENATOR SCHAFFER:

I move the...question.

PRESIDING OFFICER: (SENATOR D'ARCO)

Oh, good, that's great. Before you make that motion,

*HB 2625  
3rd reading*

Senator Fawell, you want to say something?

SENATOR FAWELL:

Well,...there seems to be a slight controversy about this bill. Why don't we take it out of the record and maybe we can find some way that we can come up with a compromise and everybody can...get this thing settled.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right, take it out of the record, Madam Secretary. 2625, Senator Brookins. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2625.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. This changes the definition of commercial fisherman to...to be any person who use commercial fishing device to take aquatic life. The current law states individual. By changing it, we're allowed to incorporate and reduce the liability on the commercial fisherman. At present, it's impossible in America to get insurance on fishing vessels. This will protect the guys...in...in...that are commercial fishermen.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he will yield.

SENATOR POSHARD:

Senator Brookins, we had a great deal of discussion about this in the Agriculture Committee and I just want to estab-

lish for the record that we're only talking about this change from person to individual in regard to insurance and the availability of insurance that this will make for the folks who own these fishing...vessels and not having anything to do with the potential of the buy-out for these five commercial fishermen.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Schaffer...oh, I'm sorry, you...Senator Brookins.  
SENATOR BROOKINS:

Yes, Senator Poshard is absolutely correct. As you notice, there was no additional amendments or anything put on, there was not changing and that is the sole purpose of this bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right, Senator Schuneman.  
SENATOR SCHUNEMAN:

Thank you. Question of the sponsor, Mr. President.  
PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he will yield.  
SENATOR SCHUNEMAN:

What does changing the...the wording from "individual" to "person" have to do with the availability of insurance?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Brookins.  
SENATOR BROOKINS:

It allows the fishermen to incorporate their boats. Under their corporation, only the corporation is liable and the individual himself as a person is not liable.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Schuneman.  
SENATOR SCHUNEMAN:

Is...what...what is the requirement now for...for insurance? Is...is there a state law that requires insurance or is this...is this simply a licensing provision?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Brookins.

SENATOR BROOKINS:

This is simply a licensing provision.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Schuneman.

SENATOR SCHUNEMAN:

So, really what it does then is allow a licensed individual to be licensed as a person which is also a corporation. People can set up dummy corporations and...without any money and no insurance, really, is what this would do then, isn't it?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Brookins.

SENATOR BROOKINS:

Senator Schuneman, there is only five commercial fishermen in the State of Illinois...they all are...are reputable individuals...they have attempted to get insurance and they can't and this would not allow them to set up a dummy because as you know that...the boats and the riggings and the equipment is very expensive, runs into the millions of dollars and, therefore, they would not be just a dummy corporation.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Just one other question. Does...does this affect all commercial fishermen everywhere in Illinois or just on the lake?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Brookins.

SENATOR BROOKINS:

It is my understanding...and IDOT can...or I mean...conservation...there is only five that fishes Lake Michigan and are this...this type of commercial fish-

ing...fishermen that this bill refers to. There are only five in the State of Illinois.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would inquire of the sponsor, if he'll yield, what is the position of the Department of Conservation?

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he will yield.

SENATOR BROOKINS:

Mr. President, the...they are in favor of the bill. They helped write the bill and they are supportive of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Rock.

SENATOR ROCK:

Well, the...the committee record indicates that the gentleman who is the chief of the Division of Fisheries is taking no position on the merits. I...I'm not sure, frankly, what we're about, and you and I have discussed this, and as I indicated to you, I was mightily concerned about the possibility or the probability of the buy-out of these commercial licenses, and I'm not sure what we accomplish by virtue of affording an Illinois corporation an opportunity to become or be defined as a Lake Michigan commercial fisherman. I don't know that the Department of Conservation has licensed any corporation, and, frankly, I don't know if they should and that's why I'd...I'd be interested in finding out what the department thinks. I don't think this is a very good idea.

PRESIDING OFFICER: (SENATOR D'ARCO)

Further discussion? Senator Philip.

SENATOR PHILIP:

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



Senate. In the first place, you might come to the same conclusion that I have that it's a funny cosponsorship, Brookins and Philip. I think, quite frankly, it ought to be Philip and Brookins but that's a matter of opinion. But let me say this, I have a...a gentleman who lives in my county, not in my district, who has a commercial fishing license. He is getting up in age and he has a son or two that works for him. Now, he has two problems; first of all, if he quits, retires or passes away, he cannot pass that license on to his sons, he has to go back in the lottery again. If we allowed these license to be owned by a corporation, of course, he could give the corporation...the corporation, of course, his son could maintain it. Also, they have a problem with insurance...liability insurance for individuals because sometimes, as you know, we...we had a catastrophe in Lake Michigan here not so long ago when a boat was sunk and I think one or two of the men were...were...were killed, and it made...drowned and it made the insurance premiums go way up. It's much easier for a corporation to buy that insurance than it is an individual and that's the othe reason we ought to be for this bill. I have talked to the Department of Conservation. They have taken a neutral position but...but I'm convinced that we're doing the right thing and I would ask for a...favorable consideration.

PRESIDING OFFICER: (SENATOR D'ARCO)

Further discussion? Senator Donahue.

SENATOR DONAHUE:

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

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he will yield.

SENATOR DONAHUE:

I think that Senator Schuneman raised a very important point that we would like to clarify. I know that in my dis-

trict I have commercial fishermen, believe it or not, that fish on the Illinois River and is this bill specific to Lake Michigan commercial fishing?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Brookins.

SENATOR BROOKINS:

Yes, Senator, it is specific to Lake Michigan...fishermen only and that's only five. And to further answer another question, John Smith of the Department of...Conservation is in favor of this bill and the staff has just spoke to him.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Rock.

SENATOR ROCK:

Thank you and I...I apologize for rising a second time but after Senator Philip's explanation of why this is necessary, I feel compelled to ask, if the sponsor knows and if he will yield, are...are these licenses renewable each year by the Department of Conservation?

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he will yield. Senator Brookins.

SENATOR BROOKINS:

Yes, they...they are not renewable every year. They go into a pool. They draw from that pool. At present, there's only five. There's room, possibly...they're thinking about going to six where another guy will go into the pool of the fishermen that qualify and they will draw from the list and add another one. At...at present, there's only five; those five are renewable every year...are...are...are there.

PRESIDING OFFICER: (SENATOR D'ARCO)

There further discussion? Senator Rock.

SENATOR ROCK:

Well, I...I don't...I don't wish to...to pursue this to death, but I...I, again, would like to know what the department is doing? Why are we affording a corporate entity then

the opportunity to become licensed so we...we license them apparently in perpetuity. I...I don't know that that's the intent of this licensure law, I...I think the department really ought to take a stand on this.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator....okay. Senator Brookins to close.

SENATOR BROOKINS:

Thank you, Mr. President. The purpose of this bill is to allow license to pass on to family members by incorporation. Number two, it protects the inability to get insurance in this area. With that, I ask for a favorable roll call on this bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

The question is, shall House Bill 2625 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, 18 voting No, none voting Present and House Bill 2625 having received the required constitutional majority is hereby declared passed. The next two bills, 2630 is on recall and 2636 is on recall. The next bill is 2643, Senator Jones. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2643.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. House Bill 2643...permits an aggrieved party to file an complaint for enforcement of a valid order of the Human Rights Commission directly into Circuit Court. It streamlines the process and if the valid order has been handed down, that

party, if they so desire, can file that...file directly into...go...go directly into Circuit Court and not wait until that...till the Attorney General receives this order from the Department of Human Rights. This is an administration bill and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? If not, the question is, shall House Bill 2643 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, 1 voting No, none voting Present and House Bill 2643 having received the required constitutional majority is hereby declared passed. 2670, Senator Macdonald. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2670.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This bill requires that the Female Business and Enterprise Council be notified of all personal and professional service contracts thirty days prior to their work...to their awards. The Minority and Female Business Act which was enacted in Illinois in 1984 includes a personal and professional service contracts and a definition of state contracts covered by the Act; however, full implementation of this provision has been inconsistent. Again, this is a bill that came from the Citizens Council on Women and the witnesses that appeared before us described this as a very, very serious problem and that's why they...we have put this bill in. I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Senator Watson.

SENATOR WATSON:

Yes, sir, thank you, Mr. President. Our analysis says here, Senator, that the Capital Development Board opposes this bill because it could hold up a project for months, and it says that the construction industry should be exempt from this language and it also says that the Department of Transportation opposes the legislation because of serious delays and unreasonable reporting mechanism implemented. Would you please respond to those remarks and have you addressed those in an amendment somewhere or...

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Macdonald.

SENATOR MACDONALD:

Well, it's very interesting, I have heard from no one except the Department of Public Aid on these particular bills. So, they may have talked to our staff person, but I have not had any direct information from them. So, if...if that is true, and I'm sure that it is, if they oppose it, then I...I don't know, I have had no explanation of the serious delays. I think we have paid virtually hundreds of thousands of dollars in this state for computerizing every department of this state and I don't really see where the delays would come to be able to give thirty days notice to this particular MFBEC. I...I...or MAFBEC...I...that escapes me, but I...I wish I could be more articulate but I can't because I don't have the details from the departments.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Watson.

SENATOR WATSON:

Okay. Well, why should we do this for...the minority and female business enterprise group? Why...why should it be done for them and...and no one else? I don't see what advantage this would give your particular efforts over somebody

else. I'd just like to know that.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Macdonald.

SENATOR MACDONALD:

Senator, it was the establishment and...and the...by act of this General Assembly in 1985 to establish the Minority and Female Business Enterprise Act. It has been a very, very important piece of legislation for women particularly that I know of. As a matter of fact, I...I will say that our friend, who is a former legislator, Ted Meyer, his wife is in Castle Construction. There are a number of people who are struggling along but doing very well. There are a number of women who are successful, and I'm sure that there are minorities that fit in this same category, in doing business with the state. I think if there had not been a need for this piece of legislation it would never have passed, because it is only virtually almost...a little over twenty-four months old. There are problems that have developed as there are with all new programs, and I think that this is...this is just one of the highlights to say that the businesses are not notified; therefore, they're not aware and this is just one of the methods that we have of trying to inform them of what's going on.

PRESIDING OFFICER: (SENATOR D'ARCO)

Further discussion? Senator...Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand in full support as a cosponsor with Senator Macdonald on this bill. The merely thing that we're trying to do with this minority and women...female business is to bring...maintain the dignity of women who are in business to be recognized. That's all we're trying to do and it's done by the council, you...ordained the council and we're simply trying to...carry out the mandates of the conference. I ask

your support for this legislation. Thank you.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Macdonald to...Senator Karpel.

SENATOR KARPIEL:

Thank you, Mr. President. Senator Macdonald, I'm sorry, I missed some of the...some of your discussion on this. Are you changing...in this bill are you changing the...requirement that at least ten percent of the total dollar amount of state contracts have to go to minority and female businesses by September 6th of this year?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Macdonald.

SENATOR MACDONALD:

No, I don't believe so. Where do you find that in the...in the legislation, Senator?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Karpel.

SENATOR KARPIEL:

Well, I don't have a copy of the bill in...here, but on our analysis it says that currently the Minority and Female Business Enterprise Act requires that by September 6th, 1987, at least ten percent of the dollar amount of state contracts be awarded to minority owned and female owned businesses, and I just wondered if that was the section that you're changing in this?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Macdonald.

SENATOR MACDONALD:

No, Senator Karpel, we're not. Could I just read you...the bill as it appears? It says in Section 6A, "Each agency under the jurisdiction of this Act shall notify the council at least thirty days before awarding any personal service contract or professional service contract." That is the sum total of this bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I hadn't really planned on getting up to say one thing or the other about this bill, but CDB and IDOT have a very legitimate concern about this bill. Now, we passed a bill that's already in place to do exactly what the Council of Women at that time wanted and that was that ten percent of their gross amount of dollar business would go to minority and female businesses. That's being arrived at. We're doing a very good job with it. It has a sunset date on it automatically unless it proves that it works. If it proves that it works, we'll remove that sunset date in '89 when we're back here. All this is going to do is cost the state and you and I as taxpayers additional money, 'cause anytime you delay a construction contract be it for CDB or for IDOT, inflation raises the cost, and that's saying they got to have thirty days notice to the council before they can sign a contract, and if you got an emergency situation, emergency can eat you up while you're getting it to the council and waiting for a response. This is a bad idea and I think the best thing we can do is bury it right here so it doesn't cost the taxpayers any more because what's already on the books is working.

PRESIDING OFFICER: (SENATOR D'ARCO)

...further discussion? All right, Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm surprised at my colleague, Senator Davidson, he's a lover of woman I'm sure...bless you. The thing about...he's talking about that things are already in...in gear as far as the minority business...female business. It seems as though some of the departments of the state are dragging their feet. This is what we're merely trying to do



is to put some teeth into this legislation...the problem, so that the women will be recognized and be notified, that's all we're trying to do. We're not trying to cost the state any more money at all and he shouldn't think that, but all we're asking to do...please support this legislation. It's very important to us.

PRESIDING OFFICER: (SENATOR D'ARCO)

Further...Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I...I guess there's some bills around here that raise the eyes of everybody and I wish that everybody who's been critical of this bill would just stop and read it for a minute. This bill does not make the devastating changes that were described. This sucker flew out of there about 17 to nothing and I'm really surprised that members of the committee are attacking a bill in the very committee they were in that they voted Yes. It simply makes one change. And, Senator Davidson, it has nothing to do with construction contracts. I can't believe why CDB and...DOT are even involved in this. I would urge that we go along with Senator...Macdonald and pass this bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right, Senator Macdonald to close.

SENATOR MACDONALD:

Well, thank you, Mr. President. I...I...I just am really...have to say that I am surprised by the opposition that seems to have been developed over this particular piece of legislation and I do think that if the departments are in strong...stand in strong opposition that it would be courteous to really send some kind of communication to let us know so we might amend or we might make some accommodations...on 2nd reading or recall or whatever to accommodate them. I still think that this is an important piece of legislation so that we can notify those legitimate minority

and female businesses who are qualified and who certainly are entitled to bid for state jobs. So, I would urge your support and your Yes vote on this piece of legislation. Thank you.

PRESIDING OFFICER: (SENATOR D'ARCO)

The question is, shall House Bill 2670 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, the Ayes are 35, 21 voting No, none voting Present and House Bill 2670 having received the required constitutional majority is hereby declared passed.

PRESIDENT:

2682. On the Order of House Bills 3rd Reading is House Bill 2682. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2682.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the contact tracing legislation regarding the AIDS problem, and it's a voluntary tracing and it requires the Department of Public Health to contact each person in the state that has been diagnosed as having AIDS, ARC or has tested positive to a recognized AIDS test. The department shall then request the names of all persons and people who have...who this individual has had intimate, sexual contact within the preceding seven years. The disclosure of this information is totally voluntary. We're not going to require this of anyone, we're just simply asking them to come in and discuss this with the Department of

Public Health in hopes that they will cooperate. The department then will try to contact all those identified persons and inform them...those are the sexual contacts, and inform them of the risk of exposure, advise them on the availability of proper testing, provide information on the transmission and the prevention of AIDS and offer referrals for counseling or treatment. All information gathered for this purpose shall be confidential and exempt from the...Freedom of Information Act. Provides that this task may be referred to local health departments but the Department of Public Health shall review the performance of these local health departments quarterly and if it's in the opinion of the Department of Public Health that there's a problem and that they're not following the original intent of the legislation, then the State Department of Public Health immediately will take over the duties. It allows the Department of Public Health to establish a pilot project to study the effectiveness of anonymous contact referral. This is something that the agency is taking upon themselves. The Department of Public Health then would report at least semiannually to...on a voluntary contract tracing program as well as the pilot project of the anonymous contact tracing program to get some sort of a idea as to how each...and how effective they...they are doing. Provides that persons who reveal the names of their contacts shall not be held liable for that particular action. Requires the Department of Public Health to seek records from the United States Armed Forces, Federal agencies and other states on Illinois residents found to be infected with the HIV virus or...for the purpose of contact tracing. This also requires the Department of Public Health to make rules requiring hospitals, labs, health care professionals and other facilities diagnosing the infectious AIDS disease to report to the department the identity of those persons who have AIDS, ARC, or are tested positive to the Western Blot

Test or a...or a more reliable test. Failure to report such information is a business offense. And it also provides for the confidentiality of information reported to the Department of Public Health with a violation carrying a Class IV felony. I'll be glad to answer any questions, Mr. President.

PRESIDENT:

Discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

I move the previous question.

PRESIDENT:

That motion is in order. Senator Netsch.

SENATOR NETSCH:

Thank you. My...I was on the list before the previous question?

PRESIDENT:

That is correct.

SENATOR NETSCH:

I have one factual question to ask of Senator Watson...

PRESIDENT:

Indicates he'll...

SENATOR NETSCH:

...and then one comment to make.

PRESIDENT:

...indicates he'll yield.

SENATOR NETSCH:

Senator Watson, what is the difference now between this contact tracing bill and Senator DeAngelis' bill, Senate Bill 651?

PRESIDENT:

Senator...Senator Watson.

SENATOR WATSON:

From what I understand, that was mandatory testing, this is voluntary...tracking, pardon me. This is...it was mandatory tracking, ours is voluntary tracking. Now, I'm not sure

what happened in the House in regard to amendments that may be added over there, but as it left here, his was mandatory, ours is voluntary.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

All right, I...I accept in...in good faith your...your response. I'm not sure that that is an accurate reading even of the...this bill as it now reads. I must admit there have been so many amendments floating around that it's a little confusing to reconstruct the bill at the moment, but I think by the time you add all of the provisions up, it is...it is supposed to be voluntary but I think it becomes heavily mandatory by the time you add them all up together. I realize that we have been through this before and I am sure there is no point in beating a dead horse anymore than it has already been beaten. There is very little support to suggest that this is going to produce any very effective results. It is going to be hideously expensive if it is done as is...and contemplated both by this and by the other bill. Contact tracing just is not the answer to AIDS and there is very, very substantial risk that it will, in fact, turn off the very people that probably we ought to be getting to for counseling and other forms of help. The one thing that I would add that is different, I believe, in this bill and...from any other that I have seen at least to date is the section that you...added by amendment, I believe it was yesterday, "The department shall within thirty days after the effective date of this Act and thereafter from time to time seek records which can be obtained from the US Armed Forces, from Federal agencies and from other states and jurisdictions on Illinois residents who've been found to be infected with HIV for purposes of contact tracing." To the best of my knowledge, no one has ever before this moment suggested that we ought to be

dunning the...all the armed forces, every other state and local jurisdiction, every other health agency throughout the country to try to find information about those who might have tested positive for AIDS, and it seems to me that that is really an outrageous provision which is going to cause all kind of grief, not just for AIDS' victims but for those who are demanded to enforce that provision because this is mandatory, the department shall do it. I think that is probably the...the worst provision of all of the bills that I have seen that have involved AIDS up to this point, and I...I really wish somehow you would find a way to reconsider that even if you insist upon the contact tracing program.

PRESIDENT:

The previous question having been moved, Senator Watson may close.

SENATOR WATSON:

Well, thank you. I...in regard to last comment, I...I think what we're...we're saying here and what we're trying to do is simply say that someone who is a resident of Illinois who has gone on in the military or some other form of Federal employment, we're just simply saying that those people, if they have been infected with a virus, should be contacted and should be asked to voluntarily come in and disclose their sexual contacts. I, again, think that this is a responsible and reasonable approach to the problem. It's sort of a first step. This is voluntary. I want to emphasize that, that we're going to call people in and ask them to discuss with the Department of Public Health...Health their sexual contacts from the last seven years. This is not mandatory that they have to give any information to the department. There's provisions in here to protect the confidentiality. There's provisions in here to protect the individual from coercion and excessive pressure from the department. So, I just think this is a reasonable approach and a first step to a real

problem that we're going to have to deal with and I think the problem is...is nothing compared to what it's going to be in...in a short period of time. This...what we're seeing now is...is...is nothing as to what the future of this particular...unfortunate disease is going to bring upon the havoc of...of the State of Illinois and this country and this world. So, I think this is a good approach and a reasonable answer to the solution. Thank you.

PRESIDENT:

Question is, shall House Bill 2632 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 7 Nays, none voting Present. House bill 2682 having received the required constitutional majority is declared passed. 2699, Senator Barkhausen. On the Order of House Bills 3rd Reading is House Bill 2699. Read the bill.

SECRETARY:

House Bill 2699.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 2699 amends the Illinois Identification Card Act to increase penalties for sale of false identification cards and it broadens the factors to be used to determine if a card is false. We already passed out of this Chamber Senate Bill 1472 on the Agreed Bill List when we dealt with Senate bills. I'd be happy to answer any questions and would otherwise ask for your Aye vote.

PRESIDENT:

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

HB 2700  
3rd Reading

House Bill 2699 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. House Bill 2699 having received the required constitutional majority is declared passed. Senator VadalaBene, for what purpose do you arise, sir?

SENATOR VADALABENE:

Yes, thank you, Mr. President. On a point of personal privilege.

PRESIDENT:

State your point.

SENATOR VADALABENE:

Everett here, our faithful attendant who always takes care of us, today is his seventy-fourth birthday and I think we should recognize him.

PRESIDENT:

Everett, happy birthday and many more. Senator Barkhausen, 2700. On the Order of House Bills 3rd Reading is House Bill 2700. Read the bill.

SECRETARY:

House Bill 2700.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 2700 is the Secretary of State's DUI proposal. It...it provides that if a driver's license revocation is for a...a second offense for DUI or failing to stop at the scene of an...or wreckless homicide, the person could not apply for a new license for...for three years, and for a third offense, it increases the penalty to six years. The bill was amended to set the



penalties at...at those levels and it represents something of a reduction from the bill as originally introduced. The bill was also amended to...to provide that the subsequent offenses would be...would have to be committed within a period of twenty years from the time of the first offense. Finally, there was a technical amendment adopted yesterday at the...at the request of the Chicago Bar Association which is now in support of this bill and I'd ask for a favorable roll call.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall House Bill...I beg your pardon. Senator Collins.

SENATOR COLLINS:

Senator, I'm not clear on that time period. You said twenty years? That they had to be within twenty years?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

...yes, Senator Collins, I think you have it right. It has to be within twenty years of the original offense.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Let...let me try and understand this. If someone...and let me give you the same question that I raised in committee, if an eighteen-year-old went to his or her senior prom and got a little boozed up and, of course, was stopped on a DUI charge. Then when they got married and went out on their fifteen-year anniversary and did the same thing, would not that person be able to...would that person's license be suspended?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

HB 2712  
3rd Reading

Well, of course, the license would be suspended for the...for the first offense and...and for the second offense as well. It would suspended for a...I'm a little bit confused because you used an example of...of someone who is under the age of twenty-one and so the penalty may, for some reason, be...be greater where you're dealing with somebody who is not of an age where they even should be drinking, but assume that...that the individual we're talking about is twenty-two rather than under the age of twenty-one and the second offense occurs fifteen years later, then the...the penalty at that point, as I understand it under this proposal, would be...would be three years and if there is a third offense again within that twenty year period, the penalty could be six years.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall House Bill 2700 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 2700 having received the required constitutional majority is declared passed. Senator Jones, 2712. On the Order of House Bills 3rd Reading is House Bill 2712. Read the bill.

SECRETARY:

House Bill 2712.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jones.



REEL #6

SENATOR JONES:

Yeah, thank you, Mr. President and members of the...Senate. House Bill 2712 amends the State University Retirement System...it grants credit for...for compensated unused sick leave, removes the requirement that a participant be employed within sixty days prior to date of...the pension begins, removes stipulation that an employee who transfer from one employee to another may receive credit for unused sick leave, authorizes the system to recover monies paid to a felon and it removes provisions preventing payment of a pension to a member who is reinstated as a contributor. Also...it increases from eleven to fifteen the number of members on the system's board. And I know of no opposition, the bill carries a minor fiscal impact. I'd ask for a favorable vote.

PRESIDENT:

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, as...as pension bills go, this one has relatively little fiscal impact and so there is no official Republican position on the bill. I'm not sure where we're going in all this pension business, I'm...I'm afraid we're going to wind up with another omnibus bill, but sobeit I guess. I...I simply wanted to make that point that...see no particular reason to oppose this bill.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. Just to be clear, I...at the point you were giving the fiscal impact, Senator Jones, you mumbled and I didn't hear the figure. I thought it might have been delib-

erate, but...could you give me the fiscal impact?

PRESIDENT:

Senator Jones.

SENATOR JONES:

Sometimes it...it is deliberate, Senator Netsch, out it's...relatively minor, if any, fiscal impact whatsoever.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

One...one other question. Are we correct in assuming that this bill is one of the vehicle bills for other pension matters and that it will be returning with many other things on it...or possibly returning with many other things on it?

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, Senator, it's very difficult to determine what the other Chamber will do as it relate to pension bills and...as I indicated in previous testimony, we should have some input as to what is said about pensions rather than being dictated to by the other Chamber. This bill may remain intact, but there are other bills that will come along and we do have one other House bill...I mean, one other Senate bill in the House, so this bill may remain the same or it could possibly be amended. I couldn't say for sure.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

Question of the sponsor, Mr. President.

PRESIDENT:

Indicates he'll yield, Senator Weaver.

SENATOR WEAVER:

Senator Jones, what's the rationale for increasing the board to fifteen, why so many? It has eleven members on the

board of trustees now, I just wonder why the...why the...what's it...why is it necessary to increase that board?

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, the...the membership and the professors in the universities, this was their proposal and I was just being the agent for them on this issue, they want to increase that number.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall House Bill 2712 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, 1 voting Present. House Bill 2712 having received the required constitutional majority is declared passed. 2713, Senator Jones. On the Order of House Bills 3rd Reading is House Bill 2713. Read the bill.

SECRETARY:

House Bill 2713.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. Again, this bill carry relatively no fiscal impact. It amends the Downstate Firefighters Article to require that revenues collected from the firefighter pension...tax levy by a municipality be forwarded directly to the treasurer of the board within thirty business days. It also...that's about it, really. So I ask for a favorable vote.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall House Bill 2713 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 2713 having received the required constitutional majority is declared passed. 2715. On the Order of House Bills 3rd Reading is House Bill 2715. Read the bill.

SECRETARY:

House Bill 2715.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. House Bill 2715 as amended would permit downstate teachers to...to remarry without losing...his or her survivor's benefit and reduces the age from fifty-five to fifty...it is very difficult to determine the actual fiscal cost. That's all that is in the bill. I ask for a favorable vote.

PRESIDENT:

Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Will the sponsor yield for a question?

PRESIDENT:

He indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

When you say that's all that's in the bill, did you get the rest of the bill because I see that there was a...a very large fiscal impact before.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, we understand that the members on your side of the aisle don't like to spend money, so we took that out.

PRESIDENT:

Senator...further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDENT:

...indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, our analysis indicates that...that this bill has a provision that would require increased funding of the General Assembly...the State Employees and...and...the Judges Retirement Systems and would require annual funding in...in the range of a hundred and twenty million dollars. Was that language taken out of the bill?

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yes. The amendment deleted everything and took that out.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, that being the case, then I...I think there is little or no cost impact involved in the bill.

PRESIDENT:

Further...any further discussion? If not, the question is, shall House Bill 2715 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, 4 voting Present. House Bill 2715 having received the required constitutional majority is declared passed. 2713. On the Order of House Bills 3rd Reading is House Bill 2718.



Read the bill, Madam Secretary.

SECRETARY:

House Bill 2718.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR HAITLAND:

Thank you, Mr. President, members of the Senate. House Bill 2718 eliminates the requirement that the secretary pro tem of the Board of Education must be a member of the board. Under current law, if the secretary is absent or refuses to perform his or her duty the board must appoint another member as...as the secretary pro tem, and this simply eliminates that and would allow anyone to serve as the secretary.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 2718 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 2718 having received the required constitutional majority is declared passed. Senator Kustra, 2727. On the Order of House Bills 3rd Reading is House Bill 2727. Read the bill.

PRESIDENT:

House Bill 2727.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. The original bill provides that downstate school boards shall

elect a vice-president of the school board and it's supported by the Illinois Association of School Boards and the Illinois Principal's Association. That puts downstate school boards in the same language of the law as the Chicago Board of Education. There's an amendment which provides that high school summer school courses must contain at least sixty hours of classroom instruction for each semester of high school course credit. This is an amendment that was originally Senator Geo-Karis' bill which we've already sent out of here, and I would ask for a favorable vote.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 2727 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 2727 having received the required constitutional majority is declared passed. 2728. On the Order of House Bills 3rd Reading is House Bill 2725. Read the bill.

SECRETARY:

House Bill 2728.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. 2728 provides for a notice to parents of elementary school children who are going to receive instruction on sexual abuse.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 2728 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who

wish? Have all voted who wish? Have all voted who wish?  
Take the record. On that question, there are 58 Ayes, no  
Nays, none voting Present. House Bill 2728 having received  
the required constitutional majority is declared passed.  
2745, Senator Hall. On the Order of House Bills 3rd Reading,  
top of page 17, House Bill 2745. Read the bill.

SECRETARY:

House Bill 2745.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the  
Senate. House Bill 2745 amends the Solid Waste Management  
Act and it requires that counties with population of three  
hundred fifty or more that impose solid waste fees...solid  
waste management that...but it was amended and that was taken  
out. This basically affects Madison and St. Clair County and  
the solid waste management allows units of local government  
to establish their own fees regarding the receipt of dis-  
posal of hazardous waste. Currently, all the fees collected  
must be used for solid waste management up to...and they're  
asking that at this time the bill be allowed...local govern-  
ment up to thirty percent of the fees for general expense and  
programs. I'd move for your most favorable support of this  
bill.

PRESIDENT:

Discussion? Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

Are you saying that they want to tax garbage to, say,  
build a city hall or pay for the police?

PRESIDENT:

Senator Hall.

*HB 2746  
3rd Reading*

SENATOR HALL:

Senator, it is limited to...the amendment says this, "Pursuant to such fees shall be used for purpose consistent with the Act and remaining of such monies shall be used for roads and highway maintenance purpose necessitated by landfill operations." We have...we're contiguous to St. Louis, Missouri, they have a big program going on over there, the trucks are going in and out twenty-four hours a day and this will allow them some way to keep up the roadways and things where they're dumping in Illinois.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I hope somebody from Chicago is listening to this precedent, I...I think it's an outstanding thing. But, boy, if I were from Chicago, this bill would make me real nervous, but it's a great precedent, I think we need to expand this to other counties that...probably a great idea, could be a real revenue producer in our collar county area.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 2745 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, 7 Nays, 2 voting Present. House Bill 2745 having received the required constitutional majority is declared passed. 2746, Senator Hall. On the Order of House Bills 3rd reading is House Bill 2746. Read the bill.

SECRETARY:

House Bill 2746.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House bill 2746 is a bill that's...that's handled by both myself and Senator Jerome Joyce, and it authorizes the county board to grant license, easements of right-of-ways on county property, utility carriers and pipeline companies. Now there was an amendment suggested that took care of some opposition that we thought...seemed to have with this bill, and this amendment did two things; it adds that the amount of consideration paid by a utility to a county shall not exceed the cost reasonably incurred by the county in connection with granting the license, easements or right-of-ways, and then this also cured an objection that...this amendment provides a cap on the amount of consideration paid to a county by a public utility. This amendment was requested by the committee and should also satisfy the concerns of several of the utilities. I'd ask for your most favorable support of this bill.

PRESIDENT:

Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. It is true, Senator Hall did try and...and...modify this bill. It is a...a better bill certainly than we heard in committee. I just want my colleagues to just realize and be aware that this bill is on...is up for...a vote.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Well, I hope everybody realizes that it's up for a vote. Yeah...all that this does is...is give a county the same authority that a municipalities have now and this...that's where an easement for right-of-way or a public utility

whether it would be pipeline or electricity or anything else going through there, the county would have the right to license them and...and with the amendment, all they can charge for that is the fees they incur in doing it. So, I...I think it is only fair that the county should have some sort of a say in what happens in...in their property. I'd ask for an Aye vote.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Just a question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield.

SENATOR GEO-KARIS:

Why do...why do you want a limit, if you want to charge the public utilities more money, why shouldn't you? Why should they have such a big break about it? That's all.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, that...I acceded to the wishes of my colleagues on this Floor, Senator, and we thought that was...the way to go. So we're happy to go with the bill...like Senator Jerry Joyce says.

PRESIDENT:

Question is, shall House Bill 2746 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 Ayes, 21 Noes, 2 voting Present. House Bill 2746 having received the required constitutional majority is declared passed. 2749. On the Order of House Bills 3rd Reading is House Bill 2749. Read the bill.

SECRETARY:

House Bill 2749.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The description of this bill in the Calendar is inaccurate. At the urging of Local Government Committee, I offered Senate Amendment No. 1 which removed entirely the language concerning multicounty jails. All this bill does now is permit counties to identify a sheriff or deputies to the extent of one hundred thousand rather than fifty thousand, and it is currently required. This is still a permissive bill and I would ask for your most favorable support of the bill.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 2749 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 5 Nays, 3 voting Present. House Bill 2749 having received the required constitutional majority is declared passed. All right, ladies and gentlemen, pursuant to our earlier agreement, we will move now, with leave of the Body, to the Order of House Bills 2nd Reading. And I've asked the Secretary and I'm sure she has distributed the recall list. If you'll take a look at the recall list, there are some thirty-five or so items to be dealt with and if we are to attempt, at least, to be out at six or some reasonable hour, we had better get at it. Page 23 on the Calendar, page 23. Senators Hall, Newhouse, Welch, Jones, Welch, Lechowicz, Marovitz, Joyce. House bills 2nd reading. All right. On the Order of House

Bills 2nd Reading is House Bill 237. Read the bill, Madam Secretary.

SECRETARY:

House Bill 237.

(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. 454, Senator Newhouse. On the Order of House Bills 2nd Reading is House Bill 454. Read the bill.

SECRETARY:

House Bill 454.

(Secretary reads title of bill)

3rd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1118, Senator Welch. On the Order of House Bills 2nd Reading is House Bill 1118. Read the bill.

SECRETARY:

House Bill 1118.

(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. 1428, Senator Jones. 2051, Senator Welch.



2319, Senator Lechowicz. On the Order of House bills 2nd Reading is House Bill 2319. Read the bill.

SECRETARY:

House Bill 2319.

(Secretary reads title of bill)

2nd reading of the bill. Pardon me, this has been read a second time.

PRESIDENT:

All right. You want it out of the record? Out of the record. 2702, Senator Marovitz...is a hold, I think. Are you holding this? Are you moving it? On...on the Order of House Bills 2nd Reading, House Bill 2702. Read the bill.

SECRETARY:

House Bill 2702.

(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.

SECRETARY:

Pardon me. Amendment No. 1 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Rather than go into a long harangue, and I don't think that's necessary, this Amendment No. 1 to House bill 2702 deals with the subject of mandatory auto insurance. And instead of going into the long debate that we've done in the last several days, let me just tell you how this one amendment differs from the ones that we've had before...pursuant

to suggestions that occurred on this Floor regarding enforcement we have put into the bill an enforcement mechanism so that no applicant for a license plate or a renewal sticker would be able to get one without providing evidence of insurance. That's the change in this bill so that we have an enforcement mechanism so that if somebody wants to get a plate, that means they have a car and they're a driver, not a...not a...not a driver's license, or a renewal sticker, they'd have to show evidence of insurance...when they get their plate or their renewal sticker. That is the enforcement provision, I think that was a part of the legislation that was sorely lacking, it was suggested on this Floor, it has been put into this amendment. I solicit your Aye vote. I don't think we need long harangues about the price of mandatory auto insurance or what's it's going to go across the state.

PRESIDENT:

Senator Marovitz has moved the adoption of Amendment No. 1 to House Bill 2702. Discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

I want to move the previous question.

PRESIDENT:

Well, there are at least two...two gentlemen who have indicated their desire to speak. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Simply to question whether or not the amendment has been distributed. I...I haven't seen it, I don't know whether it has or not. But we'd like to, at least, have an opportunity to look at the amendment. Well...

PRESIDENT:

Well, I think what we can do is...is get some copies and circulate them, we'll get back to this. All right. The bill is...the bill is still on 2nd reading, Madam Secretary. At the request of certain members, we will take it out of the

HB 10  
Re called

record momentarily, with leave to get back to it until we get copies of the amendment circulated. 2710, Senator Joyce. 2768, Senator Jones. 2786, Senator Geo-Karis. On the Order of House Bills 2nd Reading is House Bill 2786. Read the bill.

SECRETARY:

House Bill 2786.

(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. All right. Ladies and gentlemen, in order to expedite the proceedings, with leave of the Body, we'll move now to the Order of Recalls with the understanding that we will get back to 2nd reading for that purpose. Page 3 on the Calendar...page 3 on the Calendar. On the Order of House Bills 3rd Reading is House Bill 10. 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 10. Madam Secretary. I beg your pardon. Which amendment? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would move at this time to lay Amendments No. 2 and 3 on the Table.

PRESIDENT:

All right. Senator Welch having voted on the prevailing side has moved to reconsider the vote by which Amendment Noes. 2 and 3 to Senate...House Bill 10 were adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The votes are now recon-

sidered. Senator Welch now moves to Table Amendments No. 2 and 3 to House Bill 10. Senator Kustra.

SENATOR KUSTRA:

Senator Welch, could we ask you what you're doing here, and...

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Senator Kustra, what I'm doing is...Amendment No. 4 combines Amendments 2 and 3. When I put those on, I Tabled Amendment No. 1, I wasn't supposed to do that because Amendment 3 referred to Amendment No. 1. So what it is is basically a technical correction of the two amendments...that are currently on House Bill No. 10. So, it's no real change.

PRESIDENT:

All right. Senator...Senator Welch has moved to Table Amendments No. 2 and 3 to House Bill 10. All in the favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendments No. 2 and 3 are Tabled. Further amendments, Madam Secretary?

SECRETARY:

Amendment No. 4 offered by Senator Welch.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

This amendment tracks, it is Amendment 2 and 3 combined into one amendment. I would move its adoption.

PRESIDENT:

Senator Welch has moved the adoption of Amendment No. 4 to House Bill 10. 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.

HB 100  
Re called

PRESIDENT:

3rd reading. House Bill 100. Senator Marovitz seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? On the Order of House Bills 2nd Reading is House Bill 100. Madam Secretary.

SECRETARY:

Amendment No. 3 offered by Senators Marovitz and Wetsch.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Amendment No. 2, I believe it is...what number is...

PRESIDENT:

3...3.

SENATOR MAROVITZ:

I'm sorry, Amendment No. 3 clarifies, at the request of the insurance industry, the definition of insurance company and an insurance company includes an insurance company fraternal benefit society and any other insurer subject to regulation under the Illinois Insurance Code or Health Maintenance Organization. Was requested by the...the industry, we have no opposition and I would ask for adoption of Amendment No. 3.

PRESIDENT:

Senator Marovitz has moved the adoption of Amendment No. 3. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, only to say that I think Senator Marovitz has cleared up a...a problem with the bill because the previous amendment did not answer the objections of the...the fraternal benefit societies and this amendment does. So I support the amendment.

PRESIDENT:

Senator Marovitz has moved the adoption of Amendment No. 3 to House Bill 100. 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 Dudycz. 527, Senator Barkhausen. On the Order of House Bills 3rd Reading is House Bill 527. Senator Barkhausen seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. All right. As...it is on the Agreed Bill List, it's page 19, for those of you who are looking for it. Obviously, it will then come off the Agreed Bill List. Senator Barkhausen seeks leave of the Body to return that bill to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. On the Order of House bills 2nd Reading is House Bill 527. Madam Secretary. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members,...my reason for asking the bill to be recalled is for the purposes of Tabling Amendment No. 1, and I would so move.

PRESIDENT:

Senator Barkhausen having voted on the prevailing side has now moved to reconsider the vote by which Amendment No. 1 to House Bill 527 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...Barkhausen now moves to Table Amendment No. 1 to House Bill 527. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion...Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

AB 935  
Recalled

No further amendments.

PRESIDENT:

3rd reading. Page 6. 771. Senator Hawkinson seeks leave of the Body to return 771 from 3rd to 2nd reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 771. Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 is a transfer of no dollar impact, it, because of a rule change, allows the agency to transfer some forty-six thousand six hundred of general revenue funds from the Hospital Reimbursement line to their Operating line. I would ask for adoption of Amendment No. 2. I would assume also, Mr. President, that this and 960 being appropriation bills, we will get back to it to act on today.

PRESIDENT:

That assumption is correct.

SENATOR CARROLL:

Thank you. I would move adoption of Amendment No. 2.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 771. 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. 935, Senator Berman. Senator Berman seeks leave of the Body to return House Bill 935 from the Order of

3rd to 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 935. Madam Secretary.

SECRETARY:

Amendment No. 5 offered by Senator Berman.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 5 to House Bill 935 deals with the question of the...authority of local school improvement councils to have some voice in the budget making process in the Chicago board...in the Chicago school system. The amendment that we had adopted earlier in committee upon reevaluation really did not give that board that was created by that amendment any real power. They were advisory, they were citywide and upon our evaluation and discussion with people that were interested in...in decentralizing the power base, we determined that that amendment really didn't accomplish anything. What we are trying to do by this amendment is to provide that there will be what is called subdistrict councils. Now there are twenty...twenty-three subdistricts in the City of Chicago. This amendment creates a subdistrict council made up of parents and staff people, sets requirements as to quorums and gives this board a...the statutory authority to reshuffle money that is allocated to the local schools. It's what is called the actual power into the local subdistrict councils for the...so-called discretionary money. Be glad to respond to any questions and ask for adoption of Amendment No. 5.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 5 to House Bill 935. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The



amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 6 offered by Senator Berman.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you. Amendment No. 6 is a request from the...the Chicago Board of Education dealing with the building tax rate...to allow them to...increase the...the board's building tax rate by the difference between the tax rates extended to pay off the school district's building bonds in 1987 and 1986 under the authorization of the School Finance Authority and shifting it to the Chicago Board of Education. Move the adoption of Amendment No. 6.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 6 to House Bill 935. Discussion? Senator Dudycz.

SENATOR DUDYCZ:

Yes, thank you, Mr. President. A question to the Senator.

PRESIDENT:

He indicates he'll yield, Senator Dudycz.

SENATOR DUDYCZ:

Senator Berman, when you mentioned something about a tax...increase in the tax rate, my ears perked up. Could you expound on that, please?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Yes. The...the Chicago Board now has the authority to levy a building tax rate equal to the sum of forty-five cents. That can be expanded depending upon the amount of the levy that is extended by the School Finance Authority...this amendment...this amendment says that the amount that is

levied by the School Finance Authority, any amount that's not used by that finance authority, can be used by the Chicago Board of Education.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCYZ:

Well, this sounds very much like Senate Bill 399 which failed in this House. Is this any relationship to that bill, sir?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

It's...it's almost identical.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCYZ:

Well, in that case, the way I understand it, if this bill fails, then that would mean a reduction in the property tax for the citizens of Chicago, is that correct?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

The...if the School Finance Authority does not utilize its full levy and this bill does not pass, there would be a reduction.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCYZ:

Well, in that case, I urge that we defeat this amendment and I would ask a...roll call.

PRESIDENT:

That request is in order. Further discussion? Any further discussion? Senator Berman, you wish to close?

SENATOR BERMAN:

Yes. At the present time, this...what we are doing here is...is allowing the board of education the...the same kind of maximum tax rate levy that is now provided to it, the Chicago Board, and to the School Finance Authority. This amendment would...would prevent any abatement if the finance authority fails to have to utilize its full levy. I urge an Aye vote for...on behalf of the Chicago Board of Education.

PRESIDENT:

Question is the adoption of Amendment No. 6 to House Bill 935. 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 30 Ayes, 20 Nays, none voting Present. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

Amendment No. 7 offered by Senator Savickas.

PRESIDENT:

Senator...I beg your pardon...Senator...Dudycz, for what purpose do you arise, sir?...further amendments?

SECRETARY:

Amendment No. 7 offered by Senator Savickas.

PRESIDENT:

Senator Savickas on Amendment No. 7. Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, Amendment No. 7 is in regard to school buildings which were leased to the Chicago Park District between 12-31-79 and 1-1-88, and it would prohibit the Chicago Board of Education from using the building again as a school. This is a building that's been...rehabed by the park district, it's being now used for the programs, and we would want its adoption. It's the Speaker's district.

PRESIDENT:

All right. Senator Savickas has moved the adoption of

7/18/91  
Recalled

Amendment No. 7 to House Bill 935. 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 Luft on 942. Senator Luft seeks leave of this Body to return House Bill 942 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 942, Madam Secretary. Oh, Senator Luft.

SENATOR LUFT:

Thank you, Mr. President.

PRESIDENT:

942...wait a minute...wait a minute.

SENATOR LUFT:

I have to Table an amendment first.

PRESIDENT:

I understand. Which amendment?

SENATOR LUFT:

1.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. My intent with House Bill 942 and the amendments that I am offering today, I will move to Table...having voted on the prevailing side, move to Table Amendment No. 1 to House Bill 942, then will offer Amendment No. 2 which is identical with the exception of one change. So, at this point, I would move to Table...

PRESIDENT:

All right. Senator Luft having...voted on the prevailing side has moved to reconsider the vote by which Amendment No. 1 to House Bill 942 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 Luft now moves to Table Amendment No. 1 to House Bill 942. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Luft.

PRESIDENT:

All right. Amendment No. 3. Senator Luft.

SENATOR LUFT:

Could I please have the LR3 on that, Madam...Speaker, I mean, Secretary?

SECRETARY:

SDS85H942PAM1HRV.

SENATOR LUFT:

All right. Thank you, Mr. President. This amendment is identical to the amendment that I just Tabled with the exception of in the original amendment we called for the utility to purchase the electricity at the majority rate offered to its customers; in this amendment the rate...that is offered...at the purchase rate at the twenty years at a rate equal to the average amount per kilowatt hour paid by the local government owning the facilities. And I would move for the adoption of the amendment.

PRESIDENT:

All right. Senator Luft has moved the adoption of Amendment No. 3 to House Bill 942. 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. Senator Maitland on 960. On the Order of

House Bills 3rd Reading, the bottom of page 7, Senator Maitland seeks leave of the Body to return House Bill 960 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 960. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Maitland.

PRESIDENT:

Senator Maitland.

SENATOR HAITLAND:

Thank you, very much, Mr. President. This clearly is a...is a public aid vehicle bill. We are simply increasing the appropriations by one dollar and the purpose is to get it into Conference. I would move for the adoption.

PRESIDENT:

Senator Maitland has moved the adoption of House Bill...Amendment No. 1 to House Bill 960. 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 Luft.

SENATOR LUFT:

Thank you, Mr. President. On House Bill 942 we forgot that we had a technical amendment which was Amendment No. 1. What I meant to do...

PRESIDENT:

Well, you Tabled...you Tabled Amendment No. 1.

SENATOR LUFT:

Yes, that was a technical amendment. What I meant to do was to Table Amendment No. 2 which was the one that we adopted yesterday. Can I have leave...whoops...

PRESIDENT:

All right. Senator Maitland, I assume you want to get back to 960, we'll pass that after some intervening business. We...today's the deadline. Yeah. Okay. All right. Senator Luft seeks leave of the Body to return House Bill 942 to the Order of 2nd Reading for purposes of Tabled an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 942. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I apologize to the Body. I would now move to Table the amendment that I thought I was going to Table, Amendment No. 2.

PRESIDENT:

All right. I...I think the procedure will be a little convoluted but we'll try to make it work. First, we have to reconsider the vote by which Amendment No. 1 was Tabled. Senator Luft having voted on the prevailing side moves to reconsider the vote by which Amendment No. 1 to House Bill 942 was Tabled. All in favor of that motion indicate by saying Aye. All opposed. The Ayes have it. The vote is now reconsidered. Senator Luft now moves the adoption of Amendment No. 1 to House Bill 942. All in favor of the adoption of Amendment No. 1 indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is adopted. Amendment No. 2, Senator Luft having voted on the prevailing side now moves to reconsider the vote by which Amendment No. 2 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 Luft now moves to Table Amendment No. 2 to House Bill 942. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 2 is Tabled. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1068, Senator Demuzio...seeks leave of the Body to return 1068 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 1068. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and...Ladies and Gentlemen of the Senate. What it simply does is it deletes October the 14th and substitutes September the 1st. This bill started out as a bill that was similar to Senator Hall and Senator Geo-Karis' bill of today which relates to...granting disaster relief to Illinois communities from the previous year, and what this simply would do would be to back up that...date to September of 1986 to pick up some additional flood damage that was...that was occurred. And I would move adoption of Amendment No. 1.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Amendment No. 1 to House Bill 1068. 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. 1167, Senator Luft seeks leave of the Body to return 1167 to the Order of 2nd Reading for purposes of Tabling an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1167. Senator Luft.

SENATOR LUFT:



HB 1295  
Recalled

Thank you, Mr. President. Amendment No. 3 to House Bill 1167 was offered by Senator Savickas. I have discussed that with him, that amendment, there are problems with that amendment with Senator Rigney and the Republican side. I, too, have problems with it. I've discussed it with Senator Savickas, he is in total agreement. So having moved...having voted on the prevailing side to Amendment No. 3 to House Bill 1167, I move to Table that amendment.

PRESIDENT:

All right. Senator Luft having voted on the prevailing side has moved to reconsider the vote by which Amendment No. 3 to House Bill 1167 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 Luft now moves to Table Amendment No. 3 to House Bill 1167. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 3 is Tabled. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1295. Senator Weaver 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 1295, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Donahue.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I believe I need to do one procedure, and having voted on the prevailing side, I would move to Table Amendment No. 1 to House Bill 1295.

PRESIDENT:

All right. Senator Donahue having voted on the prevailing side has moved to reconsider the vote by which Amendment No. 1 to House Bill 1295 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 Donahue now moves to Table Amendment No. 1 to House Bill...1295. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Donahue.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

...thank you, Mr. President. I have one question of the...Secretary, and can you just give me the last two digits of the amendment.

SECRETARY:

05.

SENATOR DONAHUE:

Perfect. Okay. This amendment simply adds a thirty-day window after the library tax of a new annexation has appeared on the bill. I'm just...and it's a back-door referendum, it just gives them thirty days once they've seen the tax on their bill. And I do have the support of the Library Association, and I would move for its adoption.

PRESIDENT:

Senator Donahue has moved the adoption of Amendment No. 2 to House Bill 1295. 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.

7/10/1734  
Recalled

PRESIDENT:

3rd reading. 1434, Senator Jones. On the Order of House Bills 3rd Reading is House Bill 1434. Senator Jones 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 1434. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Kustra and Jones.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, members of the Senate. This is an amendment to the Clinical Psychologist Act and I believe this puts this Act in the same shape as the Act that we've already passed out of here. I would ask for its adoption.

PRESIDENT:

All right. Senator Kustra has moved the adoption of Amendment No. 1 to House Bill 1434. Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Has that amendment been...been distributed?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Yes, I believe it was distributed.

PRESIDENT:

All right. Senator Kustra has moved the adoption of Amendment No. 1 to House Bill 1434. 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.

HB 1781  
Recalled

PRESIDENT:

3rd reading. 1736, Senator Berman...seeks leave of the Body to return House Bill 1736 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 1736. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This merely repeals the August 1 repeal date of the School Aid Formula and gives it a July 1, '87 effective date. Essentially, we want to keep this...I want to amend the bill so it doesn't receive a final approval until we know what kind of monies are available. I'd move the adoption of Amendment No. 1.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 1 to House Bill 1736. 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. 1781. Senator Keats seeks leave of the Body to return 1781 to the...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 1781, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Keats.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

First, could we Table Amendment No. 1 that is flawed...so that I would request that we Table Amendment No. 1 that is a flawed amendment which is one we put on...the other day.

PRESIDENT:

All right. Senator Keats having voted on the prevailing side moves to reconsider the vote by which Amendment No. 1 to House Bill 1781 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 Keats moves to Table Amendment No. 1 to House Bill 1781. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Keats.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Amendment No. 2 puts part of the bill into close to original form as accepted by the legislators from that area. Secondly, it makes sure that state property is conveyed by the Legislature and, third, it allows a school district to buy twenty acres from the DuQuoin Fair for a grand an acre which was considered a fair price. So it's a conveyance and I would appreciate your favorable support.

PRESIDENT:

Senator Keats has moved the adoption of Amendment No. 2 to House Bill 1781. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senators Keats and Thomas Dunn.

HB 1859  
Recalled

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Withdraw, please.

PRESIDENT:

Withdraw that amendment. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading, 1818. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

I wonder if I...Hr. President, with leave of Senator Demuzio, I would like to be added as a hyphenated cosponsor to House Bill 1068.

PRESIDENT:

1068, the lady seeks leave to be added as a cosponsor. Without...without objection, leave is granted. 1816, Senator Dunn seeks leave of the Body to return that bill to the Order of 2nd Reading for...you don't wish to do that? Okay. Sorry about that. 1859, Senator Luft...seeks leave of the Body to return 1659 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 1859. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 1859 deals with the Illinois Development Finance Authority. It's been a vehicle bill. Yesterday we added an amendment to the bill which was identical in nature to Senate Bill 1112 that passed out of here and now is in trouble in the House. We have decided to remove that language from this bill and continue to use it as a vehicle bill, specific...well, I better not say specifically for, but for the purpose of dealing with bonding

for...the problem...asbestos. I'm doing this...this at the request of the House sponsor and the Governor's Office. So, at this time, having voted on the prevailing side, I would move to reconsider the vote by which Amendment No. 1 was adopted.

PRESIDENT:

I detect a sense of urgency. All right. Senator Luft having voted on the prevailing side has moved to reconsider the vote by which Amendment No. 1 to House Bill 1859 was adopted. Discussion on the motion to reconsider? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah. Question of the sponsor.

PRESIDENT:

Indicates he'll yield. Senator DeAngelis.

SENATOR DeANGELIS:

This wouldn't per chance be the amendment that's my bill 703?

PRESIDENT:

Senator Luft.

SENATOR LUFT:

This bill incorporated every...everything that was...or this amendment incorporated everything that was in Senate Bill 1112 which also included Senate Bill 703 which was yours, that's correct.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Why are we denuding...this bill...this very good amendment?

PRESIDENT:

Senator Luft.

SENATOR LUFT:

The language that we have in Amendment No. 1 right here

is already under consideration in Senate Bill 1112 in the House which has run into considerable...opposition. We, therefore, have decided to move this bill forward as a vehicle to deal...I don't want to...specifically with asbestos. There may be a need to provide a bonding mechanism for local communities and school districts...for bonding, and, therefore, we're moving this at...for that reason and that reason only.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, if you strip this amendment off, it can't be a vehicle because then it would be in the same form it came over from the House and you'll never get it into Conference. There's two amendments on?

PRESIDENT:

All right. Senator Luft having voted on the prevailing side has moved to reconsider the vote...I'm sorry, Senator DeAngelis.

SENATOR DeANGELIS:

Well...all right...the sponsor, I appreciate, has the right to do...I would like for him to give some consideration to leaving it on, but if he chooses not to, I can't do too much about it.

PRESIDENT:

All right. Senator Luft having voted on the prevailing side has moved to reconsider the vote by which Amendment No. 1 to House Bill 1859 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 Luft now moves to Table Amendment No. 1 to House Bill 1859. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?



SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. That's too bad. 1920, Senator Netsch. No. 1955, Senator Poshard. On...Senator Poshard seeks leave of the Body to return House Bill 1955, the top of page 11, 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 1955. Madam Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Poshard.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. Mr. President, the current State Statutes in regard to membership on the Health Facilities Planning Board state that no member shall serve more than three consecutive three-year terms, and this amendment would strike that provision to allow members who are continuing to...do a good job to serve longer than the three terms.

PRESIDENT:

Senator Poshard has moved the adoption of Amendment No. 4 to House Bill 1955. 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. 2146. 2190, Senator D'Arco. On the Order...Senator D'Arco seeks leave of the Body to return House Bill 2190, on page 13, 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 2190, Madam Secretary.

SECRETARY:

Amendment No. 3 offered by Senator D'Arco.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Amendment No. 3 does three things. It says that the...any sale of real estate having a fair market value of less than twenty-five thousand of the Chicago Board of Education may meet...may be negotiated and shall not require notice or competitive bidding. Right now, if it's a school purpose property, they don't have to competitive bid and...and this provides that if it's an income producing property, they don't have to competitive bid as well. The other thing it does is sets up a structure whereby private enterprise in conjunction with the Board of Education is going to get in the business of teaching kids the fundamentals of agriculture and the science of agriculture in the City of Chicago. That sounds funny, I know, but the fact is that there is a Chicago high school in the City of Chicago that is dedicated for agricultural purposes and it is located on a seventy-two acre site at a 111th and Pulaski. And what this bill says is we want to teach these kids about computer programming, bioengineering, ecology, botany, environmentalist, agriculture, all kinds of sciences that are related, horticulture, all kinds of sciences that are related to agriculture. It's a noble and great endeavor by the private sector and the Board of Education. There is a tax levy in the bill for this purpose and it's a very small levy, but I want to emphasize that the money for this school is coming from the private sector mostly, twenty percent from charitable donations, twenty percent of the money will be from charity, twenty percent from private loans and sixty percent from a conventional mortgage. This is a good idea. The Tribune has endorsed it, everybody in the business community

in Chicago has endorsed it and it's a...it's a good idea. The other provision in the bill provides that the O and H operating expenses of the board...Board of Ed. as far as the Public Building Commission, Board of Ed. buildings are concerned shall be extended whereas the lease purchase agreement will be phased out as the Board of Ed. takes title to the properties that the Building Commission built for the board of Ed. Those are the three provisions in the bill and I would ask for a favorable vote.

PRESIDENT:

Senator D'Arco has moved the adoption of Amendment No. 3 to House Bill 2190. Discussion? Senator Dudycz.

SENATOR DUDYCZ:

Question for the sponsor.

PRESIDENT:

He indicates he'll yield, Senator Dudycz.

SENATOR DUDYCZ:

Well, here we go again, Senator. Is this a property tax increase upon the property owners in the City if Chicago without referendum?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Well, let...let me...let me say this to you. They can...they can...they can extend the levy for the purpose of building this new school. The amount...the amount that the property tax owners would be taxed under this bill is very inconsequential; in fact, the most that it is estimated to be would probably add \$1.35 to the tax bill of a citizen in the City of Chicago.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Call it a levy, call it revenue enhancement, a tax is a

tax is a tax, and I would request a roll call and I would also request that at least on this side everybody vote No.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Some of my concerns were probably addressed in the last answer. Now is that a \$1.35 for every tax bill in the City of Chicago?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Well, the bill provides that the levy can extend to the school district in which the school is located or it can extend citywide...the City of Chicago.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

What is the fiscal impact as far as if it's a...if it's...you know, that's...that's a big difference, Senator D'Arco, and I was wondering how...I'm trying to recall how many tax bills or parcels there are in the City of Chicago and if it was a dollar per piece, what would that be...or \$1.34, \$1.35. How many...how many parcels are there?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

I don't know. I mean, I don't know how many parcels of property are in the City of Chicago. What I'm saying to you is that it's estimated that this would increase your tax bill for the Board of Ed. levy on your tax bill about a \$1.35.

PRESIDENT:

Further...Senator Lechowicz.

SENATOR LECHOWICZ:

And what are we getting for this additional \$1.35 per tax

bill?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

We are getting a new high school at 111th and Pulaski that is dedicated to the agricultural sciences. Right now, we're trying...sixty-seven percent of the students are black, twenty-two Hispanic and eleven percent white. It's a magnet school. All students from the entire City of Chicago can go to this school if they want to learn about agriculture, if they want to learn about the...if they want to learn about the agrisciences, they can go to this school. And, you know, it teaches botany, it teaches environmentalist, it...it teaches biology, it teaches everything dealing with agriculture just like veterinarian, it'll teach courses in...on veterinary and all...you know, stuff like that.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you. I really didn't hear your first explanation. I will stand in support of this amendment. As Senator D'Arco pointed out, this is probably one area of education that is lacking for a student who is interested in pursuing a career whether it be in agriculture or agriculture economics in the City of Chicago. And...maybe you're not aware of it but at the University of Illinois, they've got one of the best programs in agriculture economics in the country. In order for a student to participate in that field, it was strongly recommended that they pursue or have these courses available to them at a high school level. Unfortunately, to the City of Chicago students this course is not available...or these courses are not available at the present time. I recall quite vividly the great editorial support that this measure received in the Chicago media and I also strongly endorse its

concept and the amendment.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

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

PRESIDENT:

Indicates...

SENATOR NETSCH:

Senator D'Arco, why do we have to have a separate levy for this? Why couldn't it come out of the regular bonding levy...or bonding authorization, I'm sorry.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Well, there aren't any capital development funds for this and these are going...these...there's one avenue,...it's going to be a limited partnership between the private sector and...and the Board of Ed. and we're going to have some lease purchase agreements probably. So the...the wisdom of the people involved decided that the best way is to have a conventional mortgage structure in place and...because there really is no bonding mechanism available at this time.

PRESIDENT:

All right. Senator D'Arco has moved the adoption of Amendment No. 3 to House Bill 2190. A roll call has been requested. Those in favor...I beg your pardon, Senator Maitland. All right, roll call has been requested. 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? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 18 Ayes, 28 Nays, 1 voting Present. Amendment No. 3 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2193. Senator Newhouse seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of Tabling an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2193, Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I move to...Table Amendment No. 2 to House Bill 2193. It is by agreement with the other side, and I would move its adoption. Move it...move that the bill be Tabled.

PRESIDENT:

All right. Senator Newhouse having voted on the prevailing side has moved to reconsider the vote by which Amendment No. 2 to House Bill 2193 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 Newhouse now moves to Table Amendment No. 2 to House Bill 2193. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 2 is Tabled. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2222. Senator Schaffer 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 2222. Senator...Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, yesterday the Senate killed House Bill 1556 due to an amendment that had been added on to it that had to do with fireowner identification cards. This amendment would put the portion of the...what was House Bill 1556 that did not relate to fireowner identification cards which simply is a...and amends the bill of rights for victims and witnesses of the Violent Crime Act allowing them to file a victim's impact statement with the Prisoner Review Board. Don't think there's any opposition to that proposal. This other, the more objectionable thing, has...is not part of this, and I will then move to rerefer House Bill 1556 back to the committee from whence it came.

PRESIDENT:

All right. Senator Schaffer has moved the adoption of Amendment No. 1 to House Bill 2222. All in favor of the...adoption of Amendment No. 1 indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2327, Senator Davidson...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 2327, Madam Secretary.

Amendment No. 1 offered by Senator Davidson.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this just puts an immediate effective date on it. Move the adoption of Amendment No. 1.



*HB 2332*

PRESIDENT:

Senator Davidson has moved the adoption of Amendment No. 1 to House Bill 2327. 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...2332, Senator Schuneman...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, on the Agreed Bill List, House Bill 2332. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Schuneman.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. There has been an agreement with the Dental Society to support an increase in their fees. This would raise the application for renewal of a dentist's license from thirty dollars a year to fifty dollars a year. The fees for duplicate licenses and certificates are also raised from ten dollars to twenty dollars. Know of no opposition. I move adoption of the amendment.

PRESIDENT:

All right. Senator Schuneman has moved the adoption of Amendment No. 1 to House Bill 2332. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Schuneman.

PRESIDENT:

Senator Schuneman.

HB 2350  
recall

SENATOR SCHUNEMAN:

Mr. President and members of the Senate, the Department of Registration and Education is proposing a change in the name of the department. If this amendment is adopted and the bill is passed, the department will become known as the Department of Professional Regulation. I think that...they...they feel...they feel that the name Department of Regulation and Education which was adopted a number of years ago is a misnomer as far as education is concerned and that the...that this name would more accurately reflect what the department does. That's all the amendment does.

PRESIDENT:

Senator Schuneman has moved the adoption of Amendment No. 2 to House Bill 2332. 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. 2350, Senator Marovitz...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 2350. Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2 to...to House Bill 2350 was requested by the Department of Public Aid to clarify a section that was inadvertently taken out of the Statutes some time ago regarding attorneys' fees, and while attorneys' fees

HB 2577  
Re called

can be assessed on any action regarding child support modification, this would...this would clarify that no attorneys' fees would be assessed against the Department of Public Aid pursuant to a child support enforcement program established under the Social Security Act unless that action was a wrongful action. I ask for your adoption of Amendment No. 2.

PRESIDENT:

Senator Marovitz has moved the adoption of Amendment No. 2 to House Bill 2350. 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 Netsch, 2577. Senator Netsch seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted. Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2577. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. First, having voted on the prevailing side, I would move to reconsider the vote by which Amendment No. 1 was adopted for purposes of Tabling it.

PRESIDENT:

Senator Netsch having voted on the prevailing side now seeks to reconsider the vote by which Amendment No. 1 to House Bill 2577 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 Netsch now moves to Table Amendment No. 1 to House Bill...2577. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

HB 2591  
Recall

Amendment No. 2 offered by Senator Netsch.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Would this be Amendment No. 1 now?

PRESIDENT:

It'd be No. 2.

SENATOR NETSCH:

No, it'd still be No. 2. All right. Amendment No. 2 has to do with the time within which notices are filed having to do with the Victims Compensation Act. The Court of Claims and the Attorney General reached this agreement simply to provide that the Court of Claims may by general orders provide for the extensions of time. It helps an administrative problem for them. I would move the adoption of Amendment No. 2 to House Bill 2577.

PRESIDENT:

Senator Netsch has moved the adoption of Amendment No. 2 to House Bill 2577. 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. 2591. Senator Degnan 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 2591. Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Degnan.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 2 is at the request of the state's attorney of DuPage County and does two things. It includes as a requirement that any offer of proof regarding prior sexual activity between defendant and victim include the dates, times and locations of such activity. Secondly, it provides that any person who has been previously convicted of a criminal sexual assault, aggravated criminal sexual assault or rape and is subsequently convicted of criminal sexual assault is guilty of a Class X felony. I move its adoption.

PRESIDENT:

Senator Degan has moved the adoption of Amendment No. 2 to House Bill 2591. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Lechowicz.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 3 would say that any person who operates a motor vehicle that is not covered by a liability insurance policy or a financial responsibility bond filed with the Secretary of State and such motor vehicle causes an accident with another motor vehicle or a pedestrian which results in injuries to the driver or occupant of the other motor vehicle or to a pedestrian shall be guilty of a Class B misdemeanor. This legislation is similar in nature which is...has...twenty-five other states have in their Statutes. In fact, in the other twenty-five states, if you drive the automobile without the necessary insurance it's a criminal violation. In certain states it's a Class IV felony, which

is one to three years and ten thousand dollar fine. Under this one, if a person was involved in an automobile accident where somebody was injured, a Class B misdemeanor would be up to six months and up to five hundred dollars in fine. And I move for its adoption.

PRESIDENT:

Senator Lechowicz has moved the adoption of Amendment No. 3 to House Bill 2591. Discussion? Senator Collins.

END OF REEL

REEL #7

SENATOR COLLINS:

I'm sorry, I...I'm just trying to figure out here what you're doing and I didn't hear you, I apologize. Now, are you increasing or...or some penalties for someone driving without insurance? What...what are you doing?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. All I'm saying is that if a person who drives an automobile without insurance or security bond is involved in an accident where some other individual is hurt, injured, either...in the automobile or as a pedestrian, that person upon being found guilty would be also possibly charged with a Class B misdemeanor, it'd be up to the judge and that would say...a Class B misdemeanor would say six months in jail...up to six months in jail or up to a five hundred dollar fine. It's similar in nature...there's twenty-five other states have similar legislation that are on the books now.

PRESIDENT:

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President, this...as you know, I've been opposing most of the stuff that Senator Lechowicz has been offering, but as I...as I look at this, this may be a pretty good idea. I think part of the problem...I think our real problem in Illinois is that we have a financial responsibility law that was passed many years ago that nobody enforces. They...they...the state is not effectively enforcing the financial responsibility law, and if we were to do that, I

think we would have fewer people running around without insurance, and...and we all want that. We all want to increase the number of people that are insured. What I'm against is setting up some kind of state mechanism that would tend to promise to everybody that every driver would be insured because they won't be under any plan we adopt here. Senator Lechowicz, I think, may be on the right...on the right track here in that he would put into the law a real punishment for those who are driving in violation of the requirement they...that they be insured, and I...I...I would stand in support of the amendment.

PRESIDENT:

Discussion? Senator Collins.

SENATOR COLLINS:

I guess the...the question is, do we have a requirement that you must be insured or do we have a requirement that if in case you do have an accident, that you must be able to take care of the responsibility or...I mean, if...if...if not, your license are suspended until such time you take care of your responsibility?

PRESIDENT:

Further discussion?

SENATOR COLLINS:

To me, this is...this is just another way of mandating insurance...liability insurance. It's just coming at it from the backdoor.

PRESIDENT:

Further discussion? Senator Jones.

SENATOR JONES:

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

PRESIDENT:

Indicates he'll yield; Senator Jones.

SENATOR JONES:

Senator Lechowicz, I take my car to a downtown parking



spot and the parking attendant take my car and drive it to go park it and the...and he has an accident, hits someone and...are you telling me that...and say I didn't have any insurance, would he be guilty as such?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

No, because actually if you leave your car in care of custody of somebody else and there is a...and you pay for parking, they are liable as far as if there's any damage on your automobile or if anybody is hurt.

PRESIDENT:

Senator Jones.

SENATOR JONES:

They may be and may not be. This...this is not what the amendment says, any person who operates a motor vehicle that is not covered by a liability insurance policy. They may not have a liability insurance policy.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

I was going to move the previous question. Thank you.

PRESIDENT:

Senator Lechowicz, you wish to close?

SENATOR LECHOWICZ:

Thank you, Mr. President. Believe me, this is a...I think it's the right approach after a lot of soul-searching; in fact, if twenty-five states have a criminal penalty if you even drive the car, this approach is saying it's probably the most liberal that you can really put about, it is saying if...if he...or an accident is caused...not strictly on bodily injury, then a Class B misdemeanor can be charged against that individual. I think it's a good amendment, deserves your support.

PRESIDENT:

All right, Senator Lechowicz has moved the adoption of Amendment No. 3 to House Bill 2591...further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2630. Senator del Valle seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of Tabling an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2630. Senator del Valle.

SENATOR del VALLE:

Thank you, Mr. President. Having voted on the prevailing side, I move to reconsider the vote by which Amendment No. 1 was adopted for the purpose of Tabling.

PRESIDENT:

All right. Senator del Valle move...having voted on the prevailing side moves to reconsider the vote by which Amendment No. 1 to House Bill 2630 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 del Valle now moves to Table Amendment No. 1 to House Bill 2630. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments, Madam Secretary?

SECRETARY:

Amendment No. 2 offered by Senator del Valle.

PRESIDENT:

Senator del Valle.

SENATOR del VALLE:

Amendment No. 2 takes out the language that the Commission on Human Rights will supervise the Department of Human

HB 2636  
Recalled

Rights in the activity of collecting data and puts in that the Human Rights Commission and the Department of Human Rights shall coordinate their activities and report to the Governor or his designee. This was agreed to by the Department of Human Rights, the Governor's Task Force on Immigration Reform and the sponsor in the House. I move its adoption.

PRESIDENT:

All right, Senator del Valle has moved the adoption of Amendment No. 2 to House Bill 2630. 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. 2636. Senator Luft 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 2636, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Luft.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 1 is technically incorrect and, therefore, having voted on the prevailing side, move to reconsider the vote by which Amendment No. 1 was adopted. I will replace that in amendment...with the technically correct Amendment No. 2.

PRESIDENT:

Senator Luft having voted on the prevailing side moves to reconsider the vote by which Amendment No. 1 to House Bill 2636 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 Luft now moves to Table Amendment No. 1 to House Bill 2636. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Luft.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr...President. Amendment No. 2 exempts owner request tows from the ICC regulations. It's agreed to by the Illinois Commerce...Commission and the professional towers organizations, and I move for its adoption.

PRESIDENT:

Senator Luft moves the adoption of Amendment No. 2 to House Bill 2636. 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. 2812. Senator Davidson seeks leave of the Body to return that bill, which is on the top of page 18, 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 2812. Madam Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Brookins.

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Yes, Mr. President,...this merely changes some language that is agreed upon by the...lobbying agent and the sponsors

of the bill...ask for its adoption.

PRESIDENT:

Senator Brookins moves the adoption of Amendment No. 4 to House Bill 2812. 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. 2813. Senator Schaffer 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 2813, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is a rewrite of the ESDA law. This is an amendment I'm putting on at the request of the City of Chicago which would allow the mayor and the city to appoint the ESDA director for the city in lieu of the county board chairman. It's my understanding this is something that's worked out between the mayor and the county board chairman who appear to be getting along quite well these days.

PRESIDENT:

Senator Schaffer has moved the adoption of Amendment No. 1 to House Bill 2813. 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.

HB 2838  
Recalled

PRESIDENT:

3rd reading. 2838. 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 is House Bill 2833, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to House bill 2838 deals with that section of the Insurance Code, 143A-2, pertaining to additional uninsured motorist coverage and underinsured motorist coverage. It is a technical amendment which just slightly revises...Paragraph 6 of this section which was added in 1980 to delete the word "personal" from the phrase "personal liability coverage." The...the purpose of the original sentence was to make it clear that the requirement to offer increased uninsured motorist and underinsured motorist coverage did not apply to excess or umbrella policies and some might have argued that the use of the word "personal" in the...in the sentence that was added, this Paragraph 6, in 1980 inferentially implied that the Legislature in some way intended that commercial excess and umbrella policies were thereby required to offer increased uninsured motorist coverage and underinsured motorist coverage. There was, in fact, no such intent by the Department of Insurance and by the people that were principally responsible for drafting this added section. Upon contacting the department and the individuals that are responsible for interpreting this section, they do not interpret it in such a way as to limit the provisions to personal policies only and this is to clarify what was the intent in 1980 and to state

*Handwritten:*  
7/20/37  
H. Schaffer

what...what is our intent now that the provision not requiring...uninsured and underinsured motorist coverage shall apply to all excess and umbrella policies and not merely those of a personal liability nature, and I would move the adoption of Amendment No. 1.

PRESIDENT:

Senator Barkhausen has moved the adoption of Amendment No. 1 to House Bill 2838. 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. 2853. Senator Schaffer seeks leave of the Body to return that bill, which is on page 19, 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 2853, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is the Welfare Reform Act. This is a second amendment that is worked...been worked out with the various groups trying to achieve consensus. Simply puts some confidentiality safeguards in the department's ability to use the State Board of Election's tapes to identify errant parents who have gone south on their obligations to support children. I believe the language puts the bill in the shape that was agreed to.

PRESIDENT:

Senator Schaffer has moved the adoption of Amendment No. 2 to House Bill 2853. 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. Ladies and gentlemen, we've had three new late entries, 981, 1194 and 1590. So, with leave of the Body, we'll do those...top of page 8, on the Order of House Bills 3rd Reading is House Bill 981. Senator Netsch seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 981, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The amendment merely changes the effective date from an immediate one to October 1, 1967, and I would move the adoption of Amendment No. 1 to House Bill 981.

PRESIDENT:

Senator Netsch has moved the adoption of Amendment No. 1 to House Bill 981. 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. 1194, I believe, is on postponed consideration, except I don't see the sponsor. 1590. 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 1590. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is the...the vehicle bill for an underground storage tank legislation which is still being worked out. What this amendment does is change it to the...it's a technical change to delete the word "orphan tank" because we're not dealing with orphan tanks, we're dealing with tanks that belong to people and we can identify the owners. I would move adoption of the amendment.

PRESIDENT:

Senator Welch moved the adoption of Amendment No. 1 to House Bill 1590. 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 Carroll, for what purpose do you arise?

SENATOR CARROLL:

On a point of personal privilege, Mr. President.

PRESIDENT:

State your point, sir.

SENATOR CARROLL:

We'd like to welcome the presence of Federal District Court Judge James Zagel. Judge Zagel.

PRESIDENT:

Judge...welcome to Springfield, Judge. All right, Madam Secretary, while we're on this order business, let's move to

House Bill 771 and House Bill 960. Those are the two remaining appropriation bills that are subject to the deadline today. With leave of the Body, we'll go to that...that order and then we'll return to 2nd reading to pick up Senator Marovitz' bill now that the amendments have been distributed. Middle of page 6, on the Order of House Bills 3rd Reading is House Bill 771. Read the bill.

SECRETARY:

House Bill 771.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This is the appropriation for FY '88 at the...for the Illinois Health Care Cost Containment Council. It's in the amount of two million one hundred and eighty-seven thousand three hundred dollars which is the FY '87 estimate expenditures and I would ask for its passage.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 771 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. House Bill 771 having received the required constitutional majority is declared passed. Bottom of page 7, on the Order of House Bills 3rd Reading is House Bill 960. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 960.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. House Bill 960 appropriates two dollars to the Department of Public Aid. I would appreciate your support.

PRESIDENT:

Question is, shall House Bill 960 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, 2 voting Present. House Bill 960 having received the required constitutional majority is declared passed. All right, ladies and gentlemen, pursuant to our earlier agreement, we'll revert now to the Order of House Bills 2nd Reading. On the Order of House Bills 2nd Reading is House Bill...clear the board, please...is House Bill 2702. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. Now that all the additional amendments have been filed and everybody has got it revved up, I think we'll take the bill out of the record.

PRESIDENT:

Take it out of the record. All right, with leave of the Body, we'll move to page 24 on the Calendar, Madam Secretary...all right, House bills 1st reading, we'll get those off the Calendar. House bills 1st reading, page 24.

SECRETARY:

House Bill 144 offered by Senator Brookins.

(Secretary reads title of bill)

House Bill 911 offered by Senator Jacobs.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Rules Committee. Any further business to come before the

Senate? Senator Schaffer.

SENATOR SCHAFFER:

I would like to move, pursuant to my earlier conversation, to rerefer House Bill 1556 to the Senate Judiciary Committee from whence it came. It's on page 34 on the Order of Postponed Consideration.

PRESIDENT:

Page 34 on the Calendar, on the Order of Consideration Postponed, Senator Schaffer moves to rerefer House bill 1556 to the Senate Committee on Judiciary. All in favor of the motion to rerefer indicate by saying Aye. All opposed. The Ayes have it. The bill is rereferred. Senator Brookins, for what purpose do you arise?

SENATOR BROOKINS:

Yes, Mr...Mr. President, I'd like to become a hyphenated cosponsor to House Bill 2812.

PRESIDENT:

Gentleman seeks leave to be shown as a hyphenated cosponsor on House Bill 2812. Without objection, leave is granted. Senator...

SENATOR BROOKINS:

Also...

PRESIDENT:

...I beg your pardon.

SENATOR BROOKINS:

...also...Mr. President, I'd like...with leave of the Body, I'd like to...need to move to discharge...Senate Joint Resolution 75 from Executive Committee for the purpose of Tabling.

PRESIDENT:

All right, Senator Brookins moves to discharge the Committee on Executive from further consideration of Senate Joint Resolution 75 for the purpose of Tabling that resolution. All in favor of the motion to discharge indicate by

saying Aye. All opposed. The Ayes have it. Senate Joint Resolution 75 is discharged. Senator Brookins now moves to Table Senate Joint Resolution 75. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senate Joint Resolution 75 is Tabled. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Since this is probably the last day for amendments, I just wanted to advise my colleagues, Senator Kelly, our baseball coach, and I were looking for a vehicle bill to amend...amend a bill so as to outlaw the fifth inning. We knew that it would pass the Senate but probably get killed in the House, so we didn't bother with it. Thank you, Mr. President.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I ask leave to suspend the appropriate rules to have House Joint Resolution 34 be rereferred from the Executive Committee to the Executive Appointments, Veterans' Affairs, Administration Committee and be posted for a hearing for Monday at 9:00 a.m. in Room 212.

PRESIDENT:

All right, House Joint Resolution 34, the gentleman has moved to discharge the Committee on Executive from further consideration of that resolution and asked that it be rereferred to the Committee on Executive Appointments for posting and hearing next Monday. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. House Joint Resolution 34 in Executive Appointments Committee next Monday. Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

Wanted to know what it was.

PRESIDENT:

It is a resolution and the Executive Committee is not meeting anymore. Resolutions.

SECRETARY:

Senate Resolution 450 offered by Senator Karpel. It is congratulatory.

PRESIDENT:

Consent Calendar. 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 concurred with the Senate in the passage of a...of the following...of...of the following bills of the following titles, to-wit:

Senate Bills 508 with House Amendments 1 and 2.

Senate Bill 827 with House Amendment 3.

Senate Bill 909<sup>o</sup> with House Amendments 1 and 2.

Senate Bill 926 with House...House Amendment 1.

PRESIDENT:

...Secretary's Desk. Senator DeAngelis, were you seeking recognition? All right, any further business to come before the Senate? Further announcements? If not, Senator Demuzio moves that the Senate stand adjourned till ten o'clock tomorrow morning. Tomorrow is deadline day. Ten o'clock tomorrow morning. We're going to work till we're finished. Senate stands adjourned. Ten o'clock tomorrow morning. Please be prompt. We should be able to finish early.

1/11/88  
13:03

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