

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

106th Legislative Day

May 19, 1992

PRESIDENT ROCK:

The hour of twelve 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 afternoon by Pastor Mike Roberts, First Baptist Church of Fairmount, Fairmount, Illinois. Reverend.

THE REVEREND MIKE ROBERTS:

(Prayer by the Reverend Mike Roberts)

PRESIDENT ROCK:

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

SECRETARY HAWKER:

Senate Journal of Tuesday, May 12, 1992.

PRESIDENT ROCK:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Journal just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT ROCK:

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

SENATOR HALL:

Mr. President, I move that reading and approval of the Journals of Wednesday, May 13th, and Thursday, May 14th, in the year 1992, be postponed, pending arrival of the printed Journals.

PRESIDENT ROCK:

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

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ordered. Senator Madigan, for what purpose do you arise, sir?

SENATOR MADIGAN:

Point of personal privilege.

PRESIDENT ROCK:

State your point, please.

SENATOR MADIGAN:

Thank you, Mr. President. Visiting with us today in the visitors' gallery is the students from Sparland Grade School, along with their teachers and their principal, Mr. Urban. If they could be welcomed to the Senate, I would be appreciative.

PRESIDENT ROCK:

Will our guests please stand and be recognized. Welcome to Springfield. Message from the House.

SECRETARY HAWKER:

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

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

House Bills 1129, 2132, 2467, 2651, 2691, 2711, 2723, 2736, 2738, 2797, 2798, 2825, 2858, 2959, 3005, 3047, 3092, 3107, 3127, 3128, 3160, 3165, 3168, 3185, 3187, 3204, 3228, 3232, 3246, 3266, 3278, 3282, 3288, 3315, 3324, 3329, 3347, 3354, 3374, 3385, 3408, 3438, 3474, 3479, 3484, 3487, 3490, 3494, 3495, 3568, 3585, 3591, 3622, 3628, 3645, 3716, 3746, 3754, 3768, 3786, 3788, 3808, 3810, 3813, 3815, 3826, 3832, 3854, 3856, 3867, 3869, 3882, 3924, 3937, 3946, 3971, 4057, 4107 and 4144.

Passed the House, May -- May 14, 1992.

PRESIDENT ROCK:

All right. Those bills will be ordered to the Calendar on the Order of 1st Reading. Committee Reports.

SECRETARY HAWKER:

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Senator Hall, Chairman of the Committee on Appropriations II, reports Senate Bills numbered 1848, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875 and 1876 Do Pass; and Senate Bills numbered 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1849, 1850, 2034, 2035, 2036, 2037 Do Pass, as Amended.

The following corrections were made on the report from the Committee on Appropriations I, which appeared in the Journal, May 14, 1992: Senate Bills 1879, 1884, 2027 should have been reported with the committee recommendation Do Pass, and Senate Bill 2007 should have been reported with the committee recommendation Do Pass, as Amended.

PRESIDENT ROCK:

Resolutions.

SECRETARY HAWKER:

Senate Resolution 1279 offered by Senator Munizzi.

Senate Resolution 1280 offered by Senator Karpziel.

And Senate Resolution 1281 offered by Senator Topinka.

They are all congratulatory.

PRESIDENT ROCK:

Consent Calendar. Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

Thank you, Mr. President. In looking over the Agreed Bill -- proposed Agreed Bill List, I see that my bill, Senate Bill 2147, is on that list, and I would like to remove that bill. There is a possibility that it may have to be brought back to 2nd and then have an amendment. That's not for certain, but at this point, I'd rather have it off the Agreed Bill List. Thank you.

PRESIDENT ROCK:

All right. That request is in order. If I can have your attention, Ladies and Gentlemen. We have with us some special guests, and also leave has been sought by WCIA-Channel 3 and WSSU

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to both film and tape-record during the Session. Without objection, leave is granted. And to introduce our special guests, I would -- the Chair will yield to Senator Jim Rea.

SENATOR REA:

Thank you. Ladies and Gentlemen of the Senate, today we are -- thank you, Ladies and Gentlemen of the Senate. Today we are honoring the Johnson City High School JETS Team on taking first place in the State Test of Engineering Aptitude, Math and Science. At this time, I would ask for Madam Secretary to read Senate Resolution 1163.

SECRETARY HAWKER:

Senate Resolution 1163 offered by Senator James Rea.

(Secretary reads SR No. 1163)

SENATOR REA:

Senate Resolution 1163, having already been adopted, I would like to say that not only did they receive first place in the State, but they went to the national competition and received ninth place there, which I feel is a very great honor for a small school in Southern Illinois. At this time, I would like to introduce their coach, Pete Moake.

COACH PETE MOAKE:

(Remarks by Coach Pete Moake)

SENATOR REA:

And thank you very much, and our congratulations again.

PRESIDENT ROCK:

Ladies and Gentlemen, if I can have your attention before we get started. We -- when we start, we will start on page 2 on the Calendar on the Order of Senate Bills 2nd Reading and go right down the list, with the exception of the appropriation bills, which we will take up tomorrow. So we will do Senate Bills 2nd Reading - substantive bills. Then, the Secretary informs me, there are about a half a dozen bills on the Recall List, and then

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we will go to the Order of 3rd Reading. I'd ask you all to pay attention and take a look at page 19. There is a proposed Agreed Bill List which will be dealt with at the close of business tomorrow, so that everybody will have an opportunity to read -- read all the bills between now and then. In the meantime, we have with us a special guest. Many of us from Chicago have had the pleasure of meeting on several occasions with Gary Ansbro. He is the Consul General from Ireland, and he is here on a special mission - a special occasion. I will let him explain the significance of his visit, but I would ask you, please, to welcome the Honorable Gary Ansbro, the Consul General of Ireland.

CONSUL GENERAL GARY ANSBRO:

(Remarks by Consul General Gary Ansbro)

PRESIDENT ROCK:

Ladies and Gentlemen, when we begin, we'll begin on page 2 on the Calendar. So I'd ask the sponsors to be alert. We're going to go right down in numerical sequence and skip only the appropriation bills, which will be handled separately tomorrow. In the meantime, while everybody's getting their files out, with leave of the Body, we'll move to the Order of House Bills 1st Reading, page 26 on the Calendar. And again, I would ask you, if you have been contacted by the House sponsor, to please inform the Secretary of your willingness to assume sponsorship. House Bills 1st Reading, Madam Secretary. Page 26, Ladies and Gentlemen, on the Calendar.

SECRETARY HAWKER:

House Bill 1077 offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 2817 offered by Senator Davidson.

(Secretary reads title of bill)

House Bill 2818 offered by Senator Davidson.

(Secretary reads title of bill)

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House Bill 2945 offered by Senator Kelly.

(Secretary reads title of bill)

House Bill 2946 offered by Senators Hall and Ralph Dunn.

(Secretary reads title of bill)

House Bill 2987 offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 2996 offered by Senator Jan Joyce.

(Secretary reads title of bill)

House Bill 3030 offered by Senators Hall and Ralph Dunn.

(Secretary reads title of bill)

House Bill 3037 offered by Senator Raica.

(Secretary reads title of bill)

House Bill 3086 offered by Senator Kelly.

(Secretary reads title of bill)

House Bill 3139 offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 3284 offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 3372 offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 3436 offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 3456 offered by President Rock.

(Secretary reads title of bill)

House Bill 3461 offered by Senator Raica.

(Secretary reads title of bill)

House Bill 3504 offered by Senator Di Turi.

(Secretary reads title of bill)

House Bill 3674 offered by Senator Luft.

(Secretary reads title of bill)

House Bill 3675 offered by Senator Jones.

(Secretary reads title of bill)

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House Bill 3676 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 3686 offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 3848 offered by Senators Geo-Karis and Philip.

(Secretary reads title of bill)

House Bill 3862 offered by Senator Weaver.

(Secretary reads title of bill)

House Bill 3902 offered by Senator Dudycz.

(Secretary reads title of bill)

House Bill 4041 offered by Senator Weaver.

(Secretary reads title of bill)

House Bill 4070 offered by Senator del Valle.

(Secretary reads title of bill)

House Bill 600 offered by Senator DeAngelis.

(Secretary reads title of bill)

House Bill 3115 offered by Senator Topinka.

(Secretary reads title of bill)

House Bill 4105 offered by Senator Hawkinson.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT ROCK:

Rules Committee. Ladies and Gentlemen, we'll begin on the Order of Senate Bills 2nd Reading, and we will go through, as I indicated, all the substantive Senate Bills on 2nd Reading, and then we will move to Senate Bills 3rd Reading for the purpose of Recalls. And then with the time remaining - and we will be working till approximately 5:30 - we will begin on the Order of 3rd Reading. Top of page 2, on the Order of Senate Bills 2nd Reading, 1468. Senator Jones. 1474. Senator Dudycz. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

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Senate Bill 1474.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Revenue offers Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Dudycz, on Committee Amendment No. 1.

SENATOR DUDYCZ:

Thank you, Mr. President. Committee Amendment No. 1 is technical in nature. It clarifies the intent of the bill - that taxes collected in 1993 apply to 1992 levies in Cook County, just like the original legislation in Senate Bill 1378, which contained language that spelled out taxes collected in 1992 would reflect levies imposed in 1991. This is clarifying language, and I urge adoption of Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Dudycz has moved the adoption of Committee Amendment No. 1 to Senate Bill 1474. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Are there amendments from the Floor?

SECRETARY HAWKER:

Senator Carroll offers Amendment No. 2.

PRESIDENT ROCK:

All right. Ladies and Gentlemen, it's going to be a long afternoon. I would ask you please to keep the din down so that we can hear the amendments. Senator Carroll, on Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. At the request of the Water Reclamation District, I have offered

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Amendment No. 2, which would exempt from the limitation any monies necessary to finance construction projects that were started before October 1, 1991. The reason for this is that as they are doing the major water flood control projects, they cannot float the bonds - all puns intended - at the very beginning. They have to wait as they do it in segments. It would probably be impossible for them to, by referendum, get any bond issues approved by the public, because if an area like mine and Senator Dudycz's had already gotten their deep tunnel done, they would not vote for the construction going on further down the -- the North Branch or out through the rest of the Water Reclamation District project. So this would say that for those construction projects that were started before October 1st, 1991 - not in the future - that the Limitation Act would not apply.

PRESIDENT ROCK:

All right. Senator Carroll has moved the adoption of Amendment No. 2 to Senate Bill 1474. Discussion? Senator Dudycz.

SENATOR DUDYCZ:

Yes, Mr. President. I'd like to ask the sponsor a few questions.

PRESIDENT ROCK:

Indicates he will yield, Senator Dudycz.

SENATOR DUDYCZ:

Senator Carroll, in your amendment, are you -- what are you trying to do? Are you trying to exempt a project such as the deep tunnel and other projects that are currently under construction?

PRESIDENT ROCK:

Senator Carroll.

SENATOR CARROLL:

Yes.

PRESIDENT ROCK:

Senator Dudycz.

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SENATOR DUDYCZ:

Well, Senator, under the current language, as passed under Senate Bill 1378, we are already exempting those projects. Last year we passed Senate Bill 1378, and it excludes language -- or it has language which excludes those projects such as the deep tunnel and any other project currently under construction by the Water Reclamation District. I -- I think, Senator Carroll -- first of all, I'd like to ask you, Senator, if by some chance this amendment were to be adopted, would you intend to vote for the bill on 3rd Reading?

PRESIDENT ROCK:

Senator Carroll.

SENATOR CARROLL:

I would give serious consideration to it.

PRESIDENT ROCK:

Senator Dudycz.

SENATOR DUDYCZ:

I -- I take that as an absolute maybe. I think that Amendment No. 2, although I sympathize with -- or Floor Amendment No. 1, although I sympathize with the Metropolitan Water Reclamation District and the impact that this bill might have on some future construction, Amendment No. 1 would chip away at the intent of the original tax cap legislation, putting that five-percent cap on property tax increases. The Director of the Department of Revenue -- he is opposed to this amendment. The Governor is opposed to it. And I urge that this amendment be defeated.

PRESIDENT ROCK:

All right. Further discussion on Amendment No. 2? Further discussion? Senator Carroll, you wish to close?

SENATOR CARROLL:

I just think that it's an error in logic not to exempt these. The Water Reclamation District, which runs throughout the County,

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has to do their projects in piecemeal. If we need these types of projects for the benefit of the homeowners throughout the County, we have to be able to finance them. As a practical matter, we know that, unfortunately, people who have had the benefit may not vote for any type of property tax extension limitation relief, by way of referendum, if their project was already done. So you're really harming those who haven't enjoyed the benefits yet. Yet you've got to look at it as a whole project. I think this would make the concept work better and be for the benefit of the homeowners, and I would urge its adoption.

PRESIDENT ROCK:

Senator Carroll has moved the adoption of Amendment No. 2 to Senate Bill 1474. Those in favor of the amendment will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 25 Ayes, 27 Nays, none voting Present. The amendment fails. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Dudycz.

PRESIDENT ROCK:

Senator Dudycz, on Amendment No. 3.

SENATOR DUDYCZ:

Thank you, Mr. President. Amendment No. 3 removes prior equalized assessed valuation. It places Cook County with the same restrictions that our Collar County neighbors have under the five-percent tax cap legislation passed last year.

PRESIDENT ROCK:

Senator Dudycz has moved the adoption of Amendment No. 3 to Senate Bill 1474. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator -- Senator Dudycz, as I thought I heard you say that

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this would freeze your -- your EAV at the previous year. Is that correct? And if so, what impact does that have, if any, to the School Aid Formula, in your judgment?

PRESIDENT ROCK:

Senator Dudycz.

SENATOR DUDYCYZ:

Well, Senator Demuzio, as you know, prior EAV prohibits taxing districts from capturing growth in their tax base. What this amendment does is it removes that prohibition.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

What impact does it have on the School Aid Formula, if any?

PRESIDENT ROCK:

Senator Dudycz.

SENATOR DUDYCYZ:

Prior year EAV has not kicked in yet, Senator, so what we're doing with this amendment is taking it out before it even kicks in.

PRESIDENT ROCK:

All right. Senator Dudycz has moved the adoption of Amendment No. 3 to Senate Bill 1474. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 1479. Senator Carroll. 1490. Senator Topinka. Madam Secretary. Middle of page 2, Ladies and Gentlemen. On the Order of Senate Bills 2nd Reading, Senate Bill 1490. Read the bill, please.

SECRETARY HAWKER:

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Senate Bill 1490.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Revenue offers Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Topinka, on Amendment No. 1.

SENATOR TOPINKA:

Yes. Mr. President and Ladies and Gentlemen of the Senate, Committee Amendment No. 1 makes the bill permissive.

PRESIDENT ROCK:

Senator Topinka has moved the adoption of Committee Amendment No. 1 to Senate Bill 1490. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Are there amendments from the Floor?

SECRETARY HAWKER:

Senator Topinka offers Amendment No. 2.

PRESIDENT ROCK:

Senator Topinka, on Amendment No. 2.

SENATOR TOPINKA:

Yes. Mr. President, Ladies and Gentlemen of the Senate, this amendment comes at the suggestion of the Revenue Committee Chairman, Senator Luft, and it says that the card would only be valid if the Department was not required to pay a discount fee as charged by the credit card issuer.

PRESIDENT ROCK:

Senator Topinka has moved the adoption of Amendment No. 2 to Senate Bill 1490. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's

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adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 1495. Senator Smith. 1510. Senator Lechowicz. Senator Berman. With leave of the Body -- for those who aren't aware, Senator Lechowicz is hospitalized with a bad back and sciatic nerve problem. So with leave, Senator Berman will handle 1510. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1510.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Are there amendments from the Floor?

SECRETARY HAWKER:

Senator Lechowicz offers Amendment No. 1.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you -- thank you, Mr. President. Senate Amendment No. 1 provides that the parties in voir dire, which is the questioning process of -- for jurors in civil matters, can submit questions to the court, but can also ask questions of the prospective jurors. I move the adoption of Amendment No. 1.

PRESIDENT ROCK:

Senator -- Senator Berman, on behalf of Senator Lechowicz, has moved the adoption of Amendment No. 1 to Senate Bill 1510. Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT ROCK:

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Indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, in -- in my part of the State for the past several years, there have been some cases where the court has decided to exclusively take over voir dire. This would prohibit this and guarantee that -- that the attorneys for both parties could also participate, even if the judge wished to continue present practice?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

That's correct.

PRESIDENT ROCK:

Further discussion? Senator Hawkinson. I'm sorry.

SENATOR HAWKINSON:

I think you've -- this is an otherwise good bill, but I would stand in opposition to this amendment. I think that the present practice is working well, that the judges are exercising reasonable discretion in when they ought to take over voir dire and when it ought to be more expansive, and I would urge a No vote.

PRESIDENT ROCK:

Further discussion? Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. Well, I speak contrary to Senator Hawkinson. My experience in the court is that oftentimes judges will totally usurp the -- the judgment calls of attorneys who must use their sixth sense in questioning jurors and oftentimes are limited by the number of written questions that can be asked and submitted by either attorney to the judge to be asked of the witnesses. I think we ought to go back to the old-fashioned way where the -- the lawyer can get a real sense of the person by

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looking him in the eye and asking questions of him or her.

PRESIDENT ROCK:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDENT ROCK:

Indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Under your amendment, are you saying then that in examining jurors that they have -- the attorneys have to put the questions in writing?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

No. Let me just read it. It's three sentences. "The parties shall be allowed to orally voir dire prospective jurors by putting to them questions that are appropriate regarding their qualifications to serve as jurors in the case at trial. The Court may acquaint jurors with the general duties and responsibilities of jurors." It does not require written questions.

SENATOR GEO-KARIS:

At the present time - because I've had this experience - the court usually questions them -- the judge questions them himself, and sometimes he lets us ask questions. Now does this preclude us from asking questions? That's what I want to know.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

No. The only thing this does is that when you have a judge who wants to prevent the lawyers from asking any questions, this would prohibit that. It allows the lawyers to participate in their case.

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PRESIDENT ROCK:

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, I -- I don't have any strong feeling one way or another about the amendment, but neither do I know all the pros and cons that might be at issue here. It's clear, however, that the -- that the amendment presents a fairly significant change. And seeing as though it never went through a committee and -- and hasn't seen the full light of day and heard all the arguments, I suggest at this time that our opposition might be in order.

PRESIDENT ROCK:

Further discussion? Senator Berman, you wish to close?

SENATOR BERMAN:

Roll call. Or...

PRESIDENT ROCK:

Question is the adoption of Amendment No. 1 to Senate Bill 1510. Pardon me. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. Have all voted who wish? Have all voted who wish? All voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 27 Ayes, 26 Nays, none voting Present. Amendment No. 1 is adopted. Are there further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Berman.

PRESIDENT ROCK:

Senator Berman. Withdraw. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 1511. Senator del Valle. Read the bill, Madam Secretary, please. On the Order of Senate Bills 2nd Reading,

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bottom of page 2, is Senate Bill 1511. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 1511.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Are there amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 1526. Senator Welch. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1526.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Are there amendments from the Floor?

SECRETARY HAWKER:

Senator Welch offers Amendment No. 1.

PRESIDENT ROCK:

Senator Welch, on Amendment No. 1. Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What the amendment does is change the bill to limit the Energy Conservation Finance Authority to contract for energy audits and oversight to certified energy management technicians. This is so individuals don't start up energy management companies at the spur of the moment to take advantage of any legislation we might pass. It requires them to have some background. I'd be glad to answer any questions.

PRESIDENT ROCK:

Senator Welch has moved the adoption of Amendment No. 1 to

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Senate Bill 1526. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 1529. Senator Karpziel. 1533. Senator Severns. 1541. Senator Marovitz. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1541.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. Top of page 3, Ladies and Gentlemen. 1542. Senator Joyce. 1547. Senator Davidson. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1547.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 1555. Senator Fawell. Top of page 3. 1567. Senator Cullerton. 1570. Senator Davidson. 1592. Senator Geo-Karis. Read the bill, Madam Secretary, please. 1592, middle

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of page 3.

SECRETARY HAWKER:

Senate Bill 1592.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Has the fiscal note request been responded? Yes. Okay. Any amendments from the Floor?

SECRETARY HAWKER:

Senator Geo-Karis offers Amendment No. 1.

PRESIDENT ROCK:

Senator Geo-Karis, on Amendment No. 1.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, the amendment becomes the bill. It creates a new Section in the Consumer Fraud and Deceptive Business Practices Act entitled "Solicitation of Elderly Persons," and it requires organizations soliciting elderly persons at least sixty years of age to make certain disclosures, and creates remedies for violations of this Section. And I -- I ask for approval. We made this amendment in view of the questions raised at the Judiciary Committee to improve the bill.

PRESIDENT ROCK:

Senator Geo-Karis has moved the adoption of Amendment No. 1 to Senate Bill 1592. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 1599. 1600. Senator Marovitz. Read the bill, Madam Secretary, please.

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SECRETARY HAWKER:

Senate Bill 1600.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDENT ROCK:

3rd Reading. 1603. Senator Carroll. 1616. Senator Jacobs. 1625. Senator Geo-Karis. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1625.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Fawell offers Amendment No. 1.

PRESIDENT ROCK:

Senator Fawell, on Amendment No. 1.

SENATOR FAWELL:

Thank you very much. This merely tightens up the bill. It says a municipality that has abolished its working cash fund may not establish another working cash fund under Division 7 for ten years after the date the fund was abolished.

PRESIDENT ROCK:

Senator Fawell has moved the adoption of Amendment No. 1 to Senate Bill 1625. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

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No further amendments.

PRESIDENT ROCK:

3rd Reading. 1636. Senator Demuzio. 1640. Senator Cullerton. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1640.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Elementary and Secondary Education offers Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Cullerton, on Committee Amendment No. 1.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill deals with an effort to encourage Braille to be taught to blind students in the schools throughout Illinois, and this amendment reflects an agreement reached with the State Board of Education. It would prohibit school districts from purchasing textbooks from publishers which do not supply computer disk versions of any textbook to the State Board of Education for Braille reproduction purposes. That's an enforcement mechanism that we chose to employ. Requires individuals seeking a certificate to teach blind students to successfully complete a Braille examination before applying for such a certificate, and that would remove the provisions which require the State Board of Education to administer an examination - that was also agreed to - and also eliminates the commission that was established by the bill. I would ask for adoption of the amendment.

PRESIDENT ROCK:

Senator Cullerton has moved the adoption of Committee Amendment No. 1 to Senate Bill 1640. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

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SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Cullerton offers Amendment No. 2.

PRESIDENT ROCK:

Senator Cullerton, on Amendment No. 2.

SENATOR CULLERTON:

I'm sorry, Mr. President, Members of the Senate. I just -- what I just described was the committee amendment which had amended a shell bill which set up the -- this Braille instructions, and the Floor amendment is -- is just the changes which I just described that were affected as a result of discussions with the State Board of Education. So the Floor Amendment No. 2 is what I had just described when I described Floor Amendment No. -- Committee Amendment No. 1. I move for its adoption.

PRESIDENT ROCK:

Senator Cullerton's moved the adoption of Amendment No. 2 to Senate Bill 1640. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Top of page 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

1649. On the Order of Senate Bills 2nd Reading is Senate Bill 1649, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1649.

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(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Revenue offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This amendment creates a deduction for victims of fraud, and excludes from that deduction any recoveries from insurance, civil action or court-ordered restitution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn has moved the adoption of Committee Amendment No. 1 to Senate Bill 1649. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senate Bill 1652. Senator Maitland. On the Order of Senate Bills 2nd Reading is Senate Bill 1652, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1652.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Elementary and Secondary Education offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Members of the Senate. Committee Amendment No. 1 is a technical amendment. I would move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland's moved the adoption of Committee Amendment No. 1 to Senate Bill 1652. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Maitland offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. -- No. 2 -- Amendment No. 2 is -- does two things. First of all, it makes some technical changes. And secondly, it removes the property tax cap exemption for life safety bond levies and for the life safety property tax. This was an issue that was discussed and was a problem, so we decided to exempt that. And I would move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland has moved the adoption of Amendment No. 2. Is there discussion? Senator Rock.

SENATOR ROCK:

Does -- does this have any relationship whatever to Senate Bill 1474?

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

No, sir, Senator Rock, it does not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Should it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

I don't believe so, Senator Rock. We are -- we are simply removing the exemption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Berman.

SENATOR BERMAN:

In committee there was an exemption for life safety levy from the tax cap. You are changing it. Could you give me the reason you are doing that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Yes, Senator Berman, there was -- there was opposition to that -- substantial opposition to that. And if you'll remember the discussion that we had, I think both publicly in committee and privately, if that was going to affect the integrity of the bill, there was a willingness to take that exemption off. And I chose to do that.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Well, I guess I have this question: If a school district in the Collar Counties, which is subject to a tax cap, has its roof caving in, then they can't issue the -- the levy for the Life Safety Code and their roof will cave in? And the -- that's just the way it'll be. Is that what can happen under this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Yes, sir, if -- if they are at their limit, that is the case. And I have, Senator Berman, explained that to those legislators who are affected and impacted by this -- by this exemption, and they understand that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Well, then, I respectfully stand in opposition to this amendment. If life safety measures are going to be meaningful -- we elect local school boards to determine what is necessary to maintain a healthy environment for our students. And if this is necessary and happens to be above the cap that's been imposed for some other theoretical reason, I think the health and safety of our children should take precedent. And I stand in opposition. I'd ask for a roll call on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I might remind Senator Berman that, number one, life safety has been so abused, and I'll give you some examples in my county. A

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track for running, a swimming pool, lights - I can't believe it. And secondly, I might remind you, if there is a serious problem, you can put it on the ballot. And I will guarantee you the people in my community will vote for something in regards to life safety. So I think that Senator Maitland is absolutely correct, and we ought to support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Are you, by this amendment, exempting the requirement of caps on the schools on the basis of life safety?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

I'm sorry, Senator Geo-Karis, I don't understand your question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

By your amendment, are you exempting the requirement of caps, on the Collar Counties, on the schools -- school districts - are you exempting them from the caps in order to satisfy the life safety bond needs? Is that it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Geo-Karis.

SENATOR GEO-KARIS:

Then what does your amendment do? I'm rather confused as to what it does or doesn't do. Will you please explain what it does? Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Senator Geo-Karis, as I said in my -- my explanation of the amendment, it simply leaves life safety under the caps, as is everything else in -- in the school rates.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I support the amendment, because I know of abuses that have been done in the name of life safety, and that isn't helping the taxpayers any. I support the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Maitland may close.

SENATOR MAITLAND:

Move for the adoption, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland -- there's been a request for a roll call. Senator Maitland has moved the adoption of Amendment No. 2 to Senate Bill 1652. All 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 29, the Nays are 24, none voting Present. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

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Amendment No. 3 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

This amendment would essentially be agreed, but it is technically flawed. For that reason, I'll withdraw it, and the sponsor and I will discuss it and -- and see if we can put it in form that would make it acceptable.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Sponsor seeks leave to withdraw the amendment. Is leave granted? Leave is granted. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

This was stronger than the previous amendment, and we will withdraw. It is no longer appropriate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor seeks leave to withdraw the amendment. Leave granted? Leave is granted. Amendment's withdrawn. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Just on a point of personal privilege. I have a group in the gallery - the public gallery - the Sayre Language Academy graduates are today visiting Springfield. They're here with their teachers, Mrs. McKnight and Mrs. Hall, and I would ask that the Senate recognize and welcome them to Springfield.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise. Welcome to Springfield. 1657. Raica. On the Order of Senate Bills 2nd Reading, Senate Bill 1657, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1657.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Raica offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 addresses a concern raised by the committee and by the Department of Public Health, and would limit the scope of the bill only to the rules related to drug testing. This is an agreed amendment by the Department and the various parties involved, and I would just move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Raica has moved the adoption of Amendment No. 1 to Senate Bill 1667 <sic> (1657). Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Raica.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

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Thank you, Mr. President. Again, Floor Amendment No. 2 is a technical amendment, which merely changes the word "automatic" to "automated." It's an agreed-to amendment by the Department and the various parties involved, and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Raica has moved the adoption of Amendment No. 2. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1665. Senator Jacobs. 1667. Senator Leverenz. 1671. Senator Maitland. On the Order of Senate Bills 2nd Reading, Senate Bill 1671, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1671.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1680. Senator Topinka. 1685. Holmberg. Senate Bills 2nd Reading, Senate Bill 1685, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1685.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Elementary and Secondary Education offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Committee Amendment No. 1 directs the State Board of Education to create a procedure to define and approve excess costs per pupil for full reimbursement by the State, and revises the hold harmless Section to provide that for Fiscal Years 1994 through 1996, a district shall receive its Fiscal Year '93 State reimbursement for its actual costs, whichever is less.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Committee Amendment No. 2 responds to some concerns of the committee Members in allowing school districts to petition for State reimbursement of additional uncontrollable costs of unique transportation situations, such as special ed or exceptional travel distances. The State would reimburse a district one hundred percent for that portion of the cost which exceeds three times the district's average pupil transportation costs. And I would recommend its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg has moved the adoption of Committee Amendment No. 2. Is there discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee Amendment

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No. 2 is adopted. Further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Rock offers Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1685 addresses a problem that, frankly, needs addressment and is almost long overdue, and that is the question of transportation reimbursement across this State to school districts. This amendment addresses only one specific provision of this bill, because the bill, as it currently resides before us, contains in there the authority by the Chicago Board of Education to levy a twenty-cent transportation tax. What that amounts to is a forty-plus-million-dollar property tax increase without referendum. This amendment would take that authority out. Does not touch any other part of the bill. It merely removes the authority to impose this levy without a referendum. And I would urge the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Holmberg.

SENATOR HOLMBERG:

I would like to oppose this amendment, and let me give you the reasons why. Every other unit district in the State has the authorization to levy this twenty-cent transportation tax. Only the City of Chicago has never been given that authority. So, do you know what they do? They borrow it from the Educational Fund each year. They may choose to keep on doing that - I think it's

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about forty million dollars - but I think they should have the option of having their own transportation levy, as do all of the other school districts in the State. And therefore, I would recommend that this particular amendment not be adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I also rise in opposition to this amendment. The Chicago Board of Education, as Senator Holmberg indicated, is the only large unit school district that does not have the authority to levy a tax for pupil transportation. They're currently spending over forty million dollars from the Education Fund to provide transportation. I'd like to see those dollars freed up so that we can deal with the deficit - the huge deficit - that we have in the Board of Education. So I rise in strong opposition to this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Well, I would rise in support of the amendment. What people have to realize is that the City of Chicago, for the first time in history - for the first time in history - the entire City of Chicago was reassessed this year. What that means for the Chicago school system is that there will be an additional hundred and fifty million dollars that the school system will realize as a result of increases in people's assessed valuation. It's one of the reasons why we're trying to increase the homeowner's exemption to give them some kind of a break. Now this proposal in this -- found in this bill would raise, apparently, the property taxes by another forty million. That's almost two hundred million dollars of new money in property taxes. That's crazy. That's not the way we ought to be going. So I would support the amendment, which

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takes that provision out, and let the people of Chicago decide whether or not they want to raise their own property taxes themselves.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock may close.

SENATOR ROCK:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. I again reiterate my strong support for Amendment No. 3, and would point out, it is true - Chicago does not have a specific levy for transportation, but it sure has enough other ones that the other school systems don't have. We have an eleven-cent textbook tax, eight-cent playground tax, twenty-six-cent teacher retirement tax, and a two-cent Agricultural Science School tax. This amendment would remove the authority to impose forty million dollars' worth of new property taxes without referendum. Those of you who have been arguing successfully for no tax increase unless there's a referendum - this is right up your alley. This is your amendment. And I would urge the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved the adoption of Amendment No. 3. All in favor, indicate by saying Aye. Opposed, Nay. All right. Senator Holmberg has requested a roll call. Senator Rock has moved the adoption of Amendment No. 3 to Senate Bill -- 1685. All 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 -- last call. Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 28, 2 voting Present. The amendment fails. Further amendments?

SECRETARY HAWKER:

Amendment No. 4 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Keats.

SENATOR KEATS:

This is a privatization issue. The basic thrust of the bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Could we -- excuse me, Senator Keats. Could we break up the -- Senator Dudycz, could we break up the caucus in front of Senator Keats, please? Senator Keats.

SENATOR KEATS:

Ray? Ray. Ray. I'm sorry. This bill -- the basic bill is meritorious, and I am in support of the basic thrust of the bill. Something many of us in this Chamber on both sides of the aisle have discussed has been the concept of privatization. And what this amendment does is call for phased-in-over-time privatization of school busing services. Now in no way does this say we will not reimburse a hundred percent of the cost of privatized busing services, and it doesn't reduce it to zero for municipally owned or -- excuse me, school-district-owned immediately. It's phased in over time till 1998. But privatization was clearly less expensive than the school districts doing it on their own till a couple of years ago, when we changed the law that allowed an additional freedom for what to count under the School Busing Code costs for local schools. Now the costs are similar. Privatization is a little lower, but candidly they're very similar at the moment because we've broadened the definition. This bill does tend to tighten up on some of that now, and I think that's significant. But what this amendment does is it -- it will allow for privatization, which we think in the long run will be cheaper, because of the increased competition brought about. It's a classic chance for entrepreneurship. Several of the most successful private busing firms in the State are minority-owned, both African-American and Hispanic. And this is an area where they

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would have a chance to contract, and we would be able to increase competition for both those communities and Statewide. This -- this would appear to be a cost decrease over time for the citizens of the State, and I would solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Keats has moved the adoption of Amendment No. 4. Discussion? Senator Holmberg.

SENATOR HOLMBERG:

I would oppose this amendment to the bill, as well. Let me give you a little bit of background. First of all, the amendment is opposed by the State Board of Education, as well as the Illinois Education Association. All costs for transportation services provided by private contractors will be reimbursed under the recommended new funding formula. Also, Senator Keats, forty-two percent of the school districts would be denied access to State reimbursement by this amendment and - pay attention, everybody - five hundred and sixty of your districts would be penalized by this amendment. There is no evidence that shows that school districts which contract out are more efficient than those that provide their own transportation. Many districts that provide their own transportation are running very efficient operations, and that's what this formula will tend to reinforce. This amendment would penalize hundreds of districts for running these sound and efficient systems, simply and only because they do not contract with an outside contractor. I urge you to vote against this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Well, I rise in support of this. I think that, as presented by Senator Keats, we have a -- a reasoned, a reasonable, a cautious approach to a change that is

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probably long overdue in our transportation system for our children. It would seem to me that the time has come when this could logically be given a chance. He isn't doing -- trying to do this overnight. It's phased in over a period of time. I think it's a reasonable concept. I do believe it would save money, and I think some of the things that have been mentioned by Senator Holmberg may turn out not to be true. I think that it can be done and still serve all of the children that need to be served. So I -- I simply -- I support the amendment and would urge -- would urge your consideration for voting for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. This is a terrible amendment. It really is, folks. It may -- it may work in some of the more urban parts of the State, but I want to tell you, you just don't go out and buy a bus contract service. You just don't do that. And the very lives and transportation of -- of literally thousands of public elementary and secondary kids are at stake here. Senator Holmberg put it well. We finally now have a transportation formula that we're going to be voting on in a couple of days that addresses the efficiency issue. It is carefully structured to reward those school districts who are doing an efficient job of running their system. Let's allow this legislation to work. Let's don't foul it up with something like this that's going to really penalize, if not destroy, transportation in Downstate Illinois. I strongly object to this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Keats may close.

SENATOR KEATS:

If I were trying to penalize small children and take

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reimbursements from all the school districts, I should be hung, drawn and quartered and left on the parking lot. The misrepresentation of this amendment is amazing. Clearly...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator Keats. No demonstrations, please. Senator Keats.

SENATOR KEATS:

Clearly, the opposition to this amendment never read the amendment. It in no way refuses to reimburse people for busing. That is not what this amendment says. It does, over years, phase in the privatization of school busing. And to allege that socialism is somehow more cost-effective than private enterprise - well, you could make that argument probably in Eastern Europe, but you'd lose the argument. You could probably make that argument in Washington and they would believe you. But in the real world - in the real world - it is not true. The whole amendment isn't even ten lines long, and it would continue one hundred percent of reimbursement for those who've privatized their system over time. It allows -- you know, it allows the bidding. It allows for lower costs. It puts in a five-year phase-in. You have every opportunity for school districts to examine it. But to somehow pretend that the government will do things cheaper than the private sector is not a terribly realistic argument in this world today. I would appreciate your affirmative vote. And as -- I stress by saying this does not cut out the reimbursement for five hundred districts. I have a sense of humor, but not quite that good. If we were cut -- if we were going to stop reimbursement for five hundred districts, I wouldn't offer the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Keats has moved the adoption of Amendment No. 4. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 13, the Nays are 35, 1 voting Present. The amendment fails. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, I'd like to introduce to the Senate the eighth grade of the Christian Elementary School from here in Springfield, Illinois. Would we please recognize them?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise. Welcome to the Senate today. 1695. Senator Rea. Senator -- 1695, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1695.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Transportation offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

Thank you, Mr. President and Members of the Senate. Amendment 1 is an amendment that the Department of Transportation have requested, which would eliminate the redundancy between the nonurbanized area public transportation and the downstate public

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transportation assistance. I would move for adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea has moved the adoption of Committee Amendment No.

1. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Senator Schaffer, do you want -- Senator Schaffer?

SENATOR SCHAFFER:

Well, I -- I don't think anybody was listening. It's probably totally innocuous, but all those that clearly understood the last amendment, please raise your hand. Well, that's three. Now -- that's four. Now for the other fifty-five of us, if we could, I'd kind of -- I'm sure it's innocuous, but who knows? It may put somebody out of business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rea has moved the adoption of Committee -- Committee Amendment No. 1. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1722. Senator Carroll. Madam Secretary, 1722, please.

SECRETARY HAWKER:

Senate Bill 1722.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Labor offers Committee

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Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1, in dealing with the area of right to access to burial plots by -- in cemeteries, changes the thrust of the violation to allow for a court hearing in a labor dispute, and provides for fines and penalties to either side of a labor dispute if they're denying the family access to the burial plot. I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Page 5. 1731. With leave of the Body, Senator Cullerton to handle that. On the Order of Senate Bills 2nd Reading, top of page 5, is Senate Bill 1731, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1731.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. Committee Amendment No. 1 was a technical amendment, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton moves the adoption of Committee Amendment No. 1. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1739. Senator Kelly. Madam Secretary, 1739, please.

SECRETARY HAWKER:

Senate Bill 1739.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Kelly offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and Members of the Senate. Floor

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Amendment No. 1 is at the request of the committee. The amendment clarifies that the purchase or lease of public safety uniforms must have a letter from the employer, and that the purchaser or leaser must identify themselves. It also has an exemption for insignias from the provisions, and I move for the adoption of Floor Amendment No. 1 to Senate Bill 1739.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly has moved the adoption of Amendment No. 1 to Senate Bill 1739. Is there discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1741. Madam Secretary, 1741, please.

SECRETARY HAWKER:

Senate Bill 1741.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Thomas Dunn offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This amendment would replace the first offense from being a Class A misdemeanor to a Class 4 felony, and on the second offense from a Class 4 felony to a Class 2 felony, and would define a neighborhood as being an area of a contiguous square block that is comprised of at least sixty percent residential dwellers. And this bill, as you know, is

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addressing the question of neighborhood drug sales.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, Senator Dunn has moved the adoption of Amendment No. 1. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1743. Senator Luft. Madam Secretary, 1743, please.

SECRETARY HAWKER:

Senate Bill 1743.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1747. Senator Jacobs. Madam Secretary, 1747.

SECRETARY HAWKER:

Senate Bill 1747.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Jacobs offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment merely allows for a reciprocal arrangement that would follow the same language as the Purchasing Act. It made it a little cleaner, and just ask for its support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1750. Senator Woodyard. 1766. Senator Welch. On the Order of Senate Bills 2nd Reading, middle of page 5, 1766, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1766.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Welch offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does is - with the amendment - it mandates the Illinois Commerce Commission to study energy conservation incentives. The bill was let out of the Energy and Environment Committee with the understanding that it would not move forward unless there was agreement from all of the parties involved. I've discussed this with the utility companies

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who are involved. They are in agreement to support this bill, as amended with this amendment. What the amendment does is allows the Illinois Commerce Commission to consider rate structures that would encourage energy efficiency as a means of meeting energy demands as part of their least cost energy plan study. What we're trying to do is encourage utilities to - by way of a rate differential - encourage consumers to use less energy and to have utilities get into the business of energy efficiency. I'd be glad to try to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, Senator Welch has moved the adoption of Amendment No. 1 to Senate Bill 1766. All in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment does is add a provision expressly exempting from Illinois Commerce Commission regulation the sale of compressed natural gas at retail to the public, for use only as a motor vehicle fuel. One of the oil companies is trying to start a pilot project to examine the use of compressed natural gas as gasoline fuel -- a gasoline fuel substitute for automobiles in urban nonattainment areas - natural gas being a cleaner fuel than gasoline. I'd be glad to try to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved the adoption of Amendment No. 2. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is

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adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senate Bill 1768. Senator Welch. 1773.
Senator Dunn. Madam Secretary, 1773.

SECRETARY HAWKER:

Senate Bill 1773.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive offers
Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. I move to table Committee Amendment
No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn has moved to table Committee Amendment No. 1.
Those in favor will indicate by saying Aye. Opposed, Nay. The
Ayes have it. Committee Amendment No. 1 is tabled. Further --
further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Thomas Dunn offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This Act amends the Voluntary
Payroll Deduction Act and discusses how charities are eligible for

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automatic payroll deductions. This bill represents an agreement between all parties, including the United Way and the Special Olympics, and in essence, details the rules that are to be created by the Governor and the appointment by the Governor, or his designee - a code of campaign conduct. I urge a favorable vote on the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn has moved the adoption of Amendment No. 2. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments -- 3rd Reading. 1779. Senator Macdonald. Madam Secretary, 1779.

END OF TAPE

TAPE 2

SECRETARY HAWKER:

Senate Bill 1779.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Macdonald offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Amendment No. 1 is an amendment which was requested by the Illinois Federation of Labor. And it -- the authorization is only for municipal governments to establish these programs, and it includes a definition of the program, and it designates the text of the signs to be displayed. All of the other remaining components of the identical bill are the same. I move the -- move the acceptance of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Macdonald's moved the adoption of Amendment No. 1. Is there discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Welch.

SENATOR WELCH:

Senator Macdonald, you said this only applies to municipalities. Does that mean just the portion of the highway that goes through a city is covered? Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR WELCH:

So the -- the rural areas then, in between towns - there will be no Adopt-A-Highway program. Is that -- is that right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

This -- this particular bill does not include counties; it does not include portions of the interstate. And this is what the -- the Federation of Labor wanted. We had that in the original one. They said that they were not in favor of that, and they

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asked to have it taken out. So this is -- only applies to municipalities that -- that are now -- that have these sections of State highways in them, that they are taking care of now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Do you have any figures to show how many miles out of the total highway system this would -- now would cover - with this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

I'm sorry, I don't, Senator. I could get it for you. I know that this was -- this particular piece of legislation was requested by Northwest Municipal Conference, which is a suburban group, and of -- of course we've had -- we've tried to negotiate, and we've tried to satisfy the objections of the labor unions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Welch.

SENATOR WELCH:

Does the bill specifically limit it to municipal boundaries or to the -- their zoning boundaries, which sometimes extend a mile and a half outside the city limit? Does -- which does the amendment say?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Macdonald moves the adoption of Amendment No. 1. Is there further discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have

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it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1787. Senator Rea. Madam Secretary, 1787,
please.

SECRETARY HAWKER:

Senate Bill 1787.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Rea offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. Amendment 1 to Senate Bill 1787 will make this a shell bill. The agreed bill process for unemployment insurance has started. There has already been one meeting, and we all hope that the negotiations will continue towards a successful conclusion this spring. My intention is to move this bill through the process to accommodate the resulting negotiations, and would move for adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea has moved the adoption of Amendment No. 1. Is there discussion? Senator Hudson.

SENATOR HUDSON:

Mr. President, just a very quick note here to commend Senator Rea and those who have worked diligently with him to recognize the agreed bill process as an ongoing process; one that has served us well in the past, and we're all hoping will serve us well in the

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future. So I urge support of his amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea has moved the adoption of Amendment No. 1. Further discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senate Bill 1788, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1788.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor? Senator Rea.

SENATOR REA:

Thank you, Mr. President. I would like to recommit Senate Bill 1788 to the Labor Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rea has moved to recommit Senate Bill 1788 to the Committee on -- to the Labor Committee. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Senate Bill 1788 is recommitted. Senator Ralph Dunn, for what purpose do you arise?

SENATOR R. DUNN:

Thank you, Mr. President. A -- matter of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your...

SENATOR R. DUNN:

In the President's Gallery behind you are young people from the eighth grade from the Nashville, Illinois, Community Middle

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School, their principal, Tom Dahnke, and teacher, Jan Middleton. I'd like for them to be recognized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise, be -- welcome to Springfield. 1794. Senator Severns. Page 6. 1796. Senator Dunn. Tom Dunn. Top of page 6. 1803. Marovitz. 1815. Senator Holmberg. 1816. Senate Bills 3rd <sic> (2nd) Reading is Senate Bill 1816, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1816.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1818. Senate Bill 1818, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1818.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Holmberg offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Amendment No. 1 has been requested by the Board of Higher Education. It removes them from the Act, and changes the responsibility for promulgating the rules from the Board of Higher

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Education to the four public university governing boards. And all parties are in agreement that this is the best way to do the study. I would recommend its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg has moved the adoption of Committee <sic> Amendment No. 1. Is there discussion? If not -- I'm sorry. Yeah. Committee <sic> Amendment No. 1. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee <sic> Amendment No. 1 is adopted. Further committee amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Beg your pardon. 3rd Reading. 1827. Senator Marovitz. Madam Secretary, Senate Bills 2nd Reading, Senate Bill 1827.

SECRETARY HAWKER:

Senate Bill 1827.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1830. Senator Marovitz. Madam Secretary, 1830.

SECRETARY HAWKER:

Senate Bill 1830.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

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SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1860. Senator Severns. On the Order of Senate Bills 2nd Reading is Senate Bill 1860, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1860.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senators Severns and Macdonald offer Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. This amendment simply switches the program from the Department of Commerce and Community Affairs to the Department of Labor. The -- the directors of both agencies have -- this has been discussed with both of them. And I know of no opposition, and I would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President, it's my understanding that our staff person has not seen the amendment, nor has it been distributed on to the Floor. So we really aren't sure just quite what it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All I can say is, if you're asking me the question, it's been -- she's just defined the amendment. Senator Topinka.

SENATOR TOPINKA:

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If I may ask the sponsor, we -- our staff person claims he has not seen a copy of that amendment. It -- it's -- to our understanding, it's not been distributed on the Floor. Do you intend to distribute it? Or -- I don't know that it's all agreed to at this point, if we haven't seen it and he hasn't seen it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, it's not necessary that we distribute amendments unless there's a request from five -- Senator Severns.

SENATOR SEVERNS:

I have no objection to distributing it. I didn't realize that the staff member hadn't seen it. All it does is simply transfer the powers and duties to the Department of Labor, as it relates to the Displaced Homemaker Program. That's -- that's all it does. It doesn't do anything more or less.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Well, I understood that this would -- and I -- I am sure that it is after talking to the appropriate directors and so forth, that this is -- that this is agreed upon, and I -- I don't understand what the problem is with the amendment. I -- I urge passage of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further -- further discussion? Senator Severns may close.

SENATOR SEVERNS:

I would urge adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Severns has moved the adoption of Amendment No. 1. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

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No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1862. Senator Etheredge. Page 7. 1887.
Senator Carroll. Senator Carroll on the Floor? 1890. Senator
del Valle. 1890. 1907. Senator Davidson. Madam Secretary,
middle of page 7 is Senate Bill 1907.

SECRETARY HAWKER:

Senate Bill 1907.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Davidson offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, this is the amendment
that was talked about in committee - to have an agreed-on
amendment between Central Management Service and AFSCME. They
have agreed. It defines modified duty; strikes out what AFSCME
objected to. I move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson's moved the adoption of Amendment No. 1. Is
there discussion? If not, those in favor will indicate by saying
Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is
adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. I was just handed a note, and it said, "Could
you please announce that tickets are now on sale for the 21st

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Annual Gridiron Dinner. Tickets are thirty dollars, and the show is Wednesday, June the 3rd. Thank you, Rick Pearson." 1908. Senator Etheredge. 1811 -- 1911. Senator Topinka. 1912. Senator Madigan. Madam Secretary, 1912.

SECRETARY HAWKER:

Senate Bill 1912.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and Licensed Activities offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. Committee Amendment No. 1 strips the bill and makes it a vehicle, so that discussions can continue between the Department and the interested parties, and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1930. Senator Welch. Top of Page 8. 1931. 1941. Senator Hudson. Madam Secretary - top of page 8 - Senate Bills 2nd Reading is Senate Bill 1941.

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SECRETARY HAWKER:

Senate Bill 1941.

(Secretary begins to read title of bill)

Pardon me. Senate Bill 1941.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Hudson offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. This amendment represents an agreement between the Department of Labor and interested parties. It is an attempt to get -- to take care of some of the questions that did arise. The amendment does the following: requires that an injury be serious before a ride can be impounded - this all has to do with -- with rides at fairs and carnivals, et cetera; it requires -- it permits the operator to replace the ride after an investigation; it requires that the investigation be completed within two days. This is an investigation of any defective equipment that results in the injury - serious injury - of a person. It places limits on the cost of the impoundment and the investigation, and if a ride has been moved before an injury has been reported, it allows the Department to inspect the ride, not impound it; it lowers the penalty from -- to a Class A misdemeanor from a felony; it repeals the Balloon Dart Game Permit Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

That's what the amendment does, Mr. President, and I would

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solicit an Aye vote. If there are any questions, I'll do the best I can to answer...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Hudson has moved the adoption of Amendment No. 1. Is there discussion? Senator Thomas Dunn.

SENATOR T. DUNN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Dunn.

SENATOR T. DUNN:

Senator Hudson, did I understand you to say that if the operator of the ride moves it, that an inspection will then not take place?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

They can inspect, but not impound.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR T. DUNN:

I guess my question is, then, how does that assist the consumer, if -- if the -- if the operator has a failure and then moves the ride, he prevents an impoundment and thus prevents a further protection of the consumer. How -- how does that assist the consumer?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

The -- I'm informed that the movement has to occur before the report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson has moved the adoption of

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

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1942. Senator Hudson. Senator Hudson, 1942? Madam Secretary, 1942, please.

SECRETARY HAWKER:

Senate Bill 1942.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Hudson offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

Yes. Thank you, Mr. President. What this amendment does -- this has to do with hearing devices for the hearing-impaired, called TDD or telecommunication device -- devices for hearing-impaired, and it -- it extends these devices -- the distribution of these -- program to approximately twelve local centers for independent living.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further amendments.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1943. Senator Macdonald. Senator Macdonald, 1943? Ladies and Gentlemen, if -- if you give me a wink or a nod, or -- you know, what you want to do with your bill, it would help me immensely. Senate Bill 1943, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1943.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1945. Senator Woodyard. 1946. Senator Schaffer. That's more like it. Senate Bill 1946, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1946.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1947. Senator Rigney. Madam Secretary, please. 1947.

SECRETARY HAWKER:

Senate Bill 1947.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Rigney offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, this is a Department of Agriculture bill and their amendment. What the amendment does, merely, is provide for a system of fines in lieu of administrative hearings and suspension of license for violations of certain acts that they have to deal with, primarily in the area of meat and poultry inspection.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1948. Senator Karpel. Madam Secretary, is Senate Bill 1948, please.

SECRETARY HAWKER:

Senator -- pardon me -- Senate Bill 1948.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Karpel offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. The bill, as it left committee, was a vehicle bill, and it now has been agreed to by all the interested parties. This bill is being proposed by the Department of Nuclear Safety, and the purpose of -- of it is to adjust the fees on the nuclear reactors to support the low-level radioactive waste disposal facility project. In Fiscal Year 1992 the fee on nuclear power reactors is 1.8 million per reactor. Under current law, the fee should go to three hundred and forty thousand per reactor for Fiscal Year 1993. IDNS is seeking to raise the fee back to the Fiscal Year 1992 level of 1.8 million per reactor, and the agreement has been reached to do that, but they are going to do that on a fee -- a payment schedule of three years. So it will go up by two hundred and thirty thousand on August 1st of '92; three hundred and fifty-five thousand on October 1st; and the hundred and fifty thousand on January 1st.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel...

SENATOR KARPIEL:

This is an agreed amendment, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1949. Senator Schaffer. Gentleman is nodding. Senate Bill 1949, Madam Secretary.

SECRETARY HAWKER:

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Senate Bill 1949.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Schaffer offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

The amendment before us is an agreed amendment that had been worked out on this bill between the Department of Financial Institutions, the Illinois Bankers Association, the Community Bankers, the League of Saving Institutions, the Credit Union League, and the Corporate Fiduciaries Association. This bill has to do with changing the time period for unclaimed property from seven years to five, but there was some technical language which was somewhat controversial. I believe this amendment removes the opposition of the aforementioned groups.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer has moved the adoption of Amendment No. 1. Is there discussion? If not, those in -- Senator Jacobs.

SENATOR JACOBS:

I just -- I just rise in strong support of this amendment. It has been worked out, and urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer has moved the adoption of Amendment No. 1, Senate Bill 1949. All in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1951. Senator Etheredge. Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 1951.

(Secretary begins to read title of bill)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. 1955. Woodyard. 1955, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1955.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Agriculture and Conservation offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank -- thank you, Mr. President. Committee Amendment No. 1 was a purely technical amendment to Senate Bill 1955, which is the Habitat Stamp Bill. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senators Woodyard and Severns offer Amendment No. 2.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Amendment No. 2 - Floor Amendment - is also a technical amendment, and strictly makes just technical changes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard has moved the adoption of Amendment No. 2. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. Amendment No. 3 was suggested by the Illinois Farm Bureau, and it does add a landowner to the Habitat Fund Advisory Committee. And the second thing it does - which I think is extremely important to us - it would certainly prevent any use of eminent domain by the Department in acquiring land out of -- out of this fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Woodyard has moved the adoption of Amendment No. 3. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. I beg your pardon. Senator -- Senator Geo-Karis. Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

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I heard you say something about eminent domain. Would you explain what you said, because I didn't hear all of it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Yes. There was no prevention in the establishment of the Habitat Fund -- there was no prevention in allowing the Department to acquire land by eminent domain. This amendment will prevent the Department from doing that, whether that be a wetlands mitigation or for any other reason.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

In other words, there is no eminent domain in your -- in this amendment. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Woodyard has moved the adoption of Amendment No. 3. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 1956. Senator Rigney. Madam Secretary, please. 1956.

SECRETARY HAWKER:

Senate Bill 1956.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

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No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Page 9. 1971. Senator Schaffer. 1979.
Senator Hawkinson. 1980. Senator Dunn. Ralph Dunn. 2000.
Senator Palmer. Page 10. Page 11. Page 12. I beg your pardon.
I missed some on page 11. With leave of the Body, we'll return
back to page 11. 2045. Senator Collins. Madam Secretary, 2045.

SECRETARY HAWKER:

Senate Bill 2045.

(Secretary reads title of bill)

2nd Reading...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. I'm sorry. Take it out of the record. Madam
Secretary, 2048, please.

SECRETARY HAWKER:

Senate Bill 2048.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Revenue offers
Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Committee Amendment No. 1 defines
the civic centers that this will apply to, to be only to those
that are in the same Section as the Orland Park Civic Center
Authority, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Mahar has moved the adoption of Committee
Amendment No. 1 to Senate Bill 2048. Is there discussion? If
not, those in favor will indicate by saying Aye. Opposed, Nay.
The Ayes have it. Committee Amendment No. 1 is adopted. Further
committee amendments?

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SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2062. Senator Cullerton. 2066. Severns. Now we're going to page 12. 2076. Senator Berman. On the Order of Senate Bills 2nd Reading, top of page 12, is 2076, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2076.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Berman offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senate Amendment No. 1 deletes the substantive provisions of this bill. There's a discussion going on between the relevant bar association committees, the probate court judges, and the sponsors of the bill. And I indicated to everyone concerned that we would move it as a shell, and see -- to give them more time to move it along. So I move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 2076. All in favor will indicate

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

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2094. Senator Jones. 2099. del Valle. 2099, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2099.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator del Valle offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. The Floor Amendment No. 1 becomes the bill. It allows a private owner or tenant of a building who institutes an action to compel the demolition or repair of or removal of garbage from a building shall not be required to pay a fee to the circuit clerk. I've had the -- the staff review this amendment, and it is in order. It's an amendment coming from the City of Chicago, and the minority spokesperson of the committee has reviewed it. And as far as I know, everyone is in agreement with the amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle has moved the adoption of Amendment No. 1 to Senate Bill 2099. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

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SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2101. Senator Cullerton. Madam Secretary,
2101, please.

SECRETARY HAWKER:

Senate Bill 2101.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Etheredge offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.
This amendment raises the minimum bid requirements from five
thousand to ten thousand dollars for Community College Board.
This is in keeping with inflation over the last eleven years. I
would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This says that any municipality with a

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population of five hundred thousand or more who is authorizing contracts involving over <sic> twenty-five thousand shall report at the end of the fiscal year to the General Assembly who got these no-bid contacts. And I would request a roll call vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I rise in opposition to the amendment to -- to my bill that I'm the sponsor of. The bill -- the amendment apparently is aimed at the City of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator Cullerton. Ladies and Gentlemen, I cannot hear the Gentleman. Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. The bill is designed to amend the Municipal Code as it relates to the City of Chicago with regard to purchases. Right now the limit is ten thousand dollars that can be made -- that must be made by free and open competitive bidding. The bill would raise it to twenty-five thousand. What the Lady's amendment would do would be to require a number and description of the contracts let under the twenty-five-thousand-dollar limit. It would only apply to Chicago, and it would preempt home rule. Now, you should know that all contracts let by the City are a matter of public record, available for public inspection within the City's purchasing department. And it would seem to me that if there's any more public disclosure necessary, that it should be done internally within the City of Chicago. This -- the State does not do this. All of the other cities in the State would not have to do this. And I accepted Senator Etheredge's amendment, which dealt with the community college purchases, as a reasonable amendment, but this

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is not one, and I would rise in opposition to the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Leverenz.

SENATOR LEVERENZ:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield. Senator Leverenz.

SENATOR LEVERENZ:

In your opening statement - I don't know which is correct - I believe that you said, and I believe that I heard, the amount of the contracts over twenty-five thousand, and I think in the amendment it says under twenty-five thousand. Which is correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

I -- I yield to your superior knowledge, Senator. It is under twenty-five thousand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leverenz.

SENATOR LEVERENZ:

So you're including all contracts under twenty-five thousand?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Just -- just the ones that are no-bid.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Question, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Luft.

SENATOR LUFT:

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Senator, why are you making this provision apply only to the...(machine cutoff)...of Chicago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Frankly, I was asked that, and if you would like to offer an amendment saying that this applies to any municipality, I would have no objection.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Well, it's not my amendment, and I'm -- I'm just wondering why you decided to pick on the City of Chicago, instead of making this applicable to all cities. I don't care if it's applicable to cities, townships, counties or whatever; I just don't know why we're doing it for one city.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Because this bill only applies to the City of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

The bill may apply only to the City of Chicago, but the subject matter could apply to all cities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Well, the Senator indicated she would support a bill or an amendment that would apply to all municipalities in the State. Would she agree to amend this amendment -- or this proposed amendment of hers on the face, so that it would prove it?

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Fawell.

SENATOR FAWELL:

I have no problem with that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the Chair does. If you want to take this out of the record, and draft the amendment, bring it back and go to it again, that's fine. But to try to determine the language, and what you're attempting to do here between the Chair and the Secretary is just not proper at this time. Senator Fawell.

SENATOR FAWELL:

...(machine cutoff)...we could always do this over in the House anyway, and I would give you my word that if this bill is passed in the -- in this form, I would ask the sponsor to do so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Fawell, did you close? The question is -- Senator Fawell. Question is -- all those in favor of the amendment 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 23, the Nays are 28, none voting Present. Amendment No. 2 fails. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Please withdraw that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor seeks to -- leave to withdraw. Withdraw. Further amendments?

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SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2104. Senator Savickas. Madam Secretary, 2104, please.

SECRETARY HAWKER:

Senate Bill 2104.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senators Savickas and Smith offer Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes. Amendment No. 1 was a technical amendment that made it identical to Senate Bill 1037, which was its predecessor, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas has moved the adoption of Amendment No. 1 to Senate -- Senate Bill 2104. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. 2107. Senator Collins. Madam Secretary, 2107, please.

SECRETARY HAWKER:

Senate Bill 2107.

(Secretary reads title of bill)

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2nd Reading of the bill. The Committee on Public Health, Welfare and Corrections offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes. Thank you. I -- I move to table Committee Amendment No. 1, and I will offer a corrective amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins has moved to table Committee Amendment No. 1 to Senate Bill 2107. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Committee Amendment No. 1 is tabled. Further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Collins offers -- Senators Collins and Smith offer Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President and Members of the Senate. Amendment No. 2 is a response to my commitment in the committee - I think were raised by the minority spokesperson - to add back to this bill that Section that dealt with economic exploitation, covering nursing home employees. It -- it responds to that, and it also has some technical corrections, and I would move for its adoption.

PRESIDENT ROCK:

Senator Smith -- I mean, Senator Collins has moved the adoption of Amendment No. 2 to Senate Bill 2107. Discussion? If

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not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 2114. Senator Davidson. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 2114.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary II offers Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Davidson, on Committee Amendment No. 1.

SENATOR DAVIDSON:

Move the adoption of Committee Amendment No. 1.

PRESIDENT ROCK:

Senator Davidson has moved the adoption of Committee Amendment No. 1 to Senate Bill 2114. Is there discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDENT ROCK:

Are there amendments from the Floor?

SECRETARY HAWKER:

Senator Davidson offers Amendment No. 2.

PRESIDENT ROCK:

Senator Davidson, on Amendment No. 2.

SENATOR DAVIDSON:

To make sure I have the right one, is this the one that has -- with "and saliva" and the "and saliva" struck out? This is a

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technical amendment to correct an error, Mr. President. Move the adoption of Amendment No. 2.

PRESIDENT ROCK:

Senator Davidson has moved the adoption of Amendment No. 2 to Senate Bill 2114. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Davidson.

PRESIDENT ROCK:

Senator Davidson, on Amendment No. 3.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, Amendment No. 3 is a request from the State Police. Right now the State Police can charge a fee for expunging a record. All this asks for is for a fee equivalent to the cost of sealing the records to provide for expunging their record. Move the adoption of Amendment No. 3.

PRESIDENT ROCK:

Senator Davidson's moved the adoption of Amendment No. 3 to Senate Bill 2114. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 2118. Senator Karpziel. Madam Secretary, read the bill, please.

SECRETARY HAWKER:

Senate Bill 2118.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

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Are there amendments from the Floor?

SECRETARY HAWKER:

Senator Karpziel offers Amendment No. 1.

PRESIDENT ROCK:

Senator Karpziel, on a -- Floor Amendment No. 1.

SENATOR KARPIEL:

Thank you -- thank you, Mr. President. The amendment does a few things. It change -- it makes this bill applicable to employers with ten employees or more. It reduces the maximum length of school leave from sixteen hours per year to eight hours per year. It provides that no more than four hours of school leave may be taken on any given day. It allows the employer to determine the prior notice that's necessary for an employee to take a school leave, and it allows the employer to require the employee to submit such documentation as may be necessary to verify the leave.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel has moved the adoption of Amendment No. 1 to Senate Bill 2118. Discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 2119. Senator Jones. 2125. Senator Jones. 2134. Senator Barkhausen. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2134.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

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Any amendments from the Floor?

SECRETARY HAWKER:

Senator Barkhausen offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Madam President and Members, Senate Bill 2134 is a measure that would provide immunity to attorneys who agree to settle a personal injury-related case with what are referred to as periodic payments, that are typically funded either by annuities or by treasury bonds. And this restricts potential liability in situations where those funding vehicles should, for one reason or another - without the fault of the lawyer - fail. The amendment requires a limited amount of due diligence on the part of the attorney by making sure that in the case of an annuity, that the annuity -- the life insurer providing that annuity has an A+ rating from A. M. Best and Company and at least one double A rating from one of the other three major rating agencies - Moody's, Standard & Poor's, and Duff & Phelps - and in addition would require that the life insurer providing the annuity have at least -- be ranked a Size X <sic> (IX) in adjusted policyholders' surplus, or better. And I would move its adoption.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen has moved the adoption of Amendment No. 1 to Senate Bill 2134. Discussion? If not, all in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 2140. Senator Rock. Read the bill, please.

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SECRETARY HAWKER:

Senate Bill 2140.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. 2141. Senator Madigan. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 2141.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 2152. Senator Watson. 2153.
Senator Barkhausen. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 2153.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and
Licensed Activities offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen, Committee Amendment No. 1.

SENATOR BARKHAUSEN:

Madam President and Members, Committee Amendment No. 1
embodies changes recommended by the Department of Insurance
relating to the operations of the Office of Special Deputy, which

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is a separate corporation handling rehabilitations and liquidations of troubled insurance companies. I'd be glad to try to answer your questions, and would otherwise move its adoption.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen has moved the adoption of Amendment No. 1 to Senate Bill 2153. Discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Barkhausen offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen, Amendment No. 2.

SENATOR BARKHAUSEN:

Madam President, Amendment No. 2, again at the suggestion of the Department of Insurance, would move the language allowing the Director of the Department to bring any action, claim, suit or proceeding into the Section of the Insurance Code which establishes the Director's duties as an insurance company liquidator. Further, it clarifies that indemnification of the employees, receivers or advisors shall be considered an administrative expense. And I move its adoption.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen has moved the adoption of Amendment No. 2 to Senate Bill 2153. Discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

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PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Top of page 13. Senate Bill 2155. Senator Barkhausen. Read the bill.

SECRETARY HAWKER:

Senate Bill 2155.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Barkhausen offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen, Amendment No. 1.

SENATOR BARKHAUSEN:

Madam President, Amendment No. 1 is an agreed -- represents agreed language between the Office of the Attorney General and the Department of Alcoholism and Substance Abuse. It provides that money accruing to the State under the Narcotics Profit Forfeiture Act shall, in some instances, be spent for drug treatment and prevention, but it continues to allow the Attorney General to make these grants and awards. And I move its adoption.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen has moved the adoption of Amendment No. 1 to Senate Bill 2155. Discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 2156. Senator Schuneman. Senate Bill 2159. Senator Marovitz. Read the bill, Madam.

SECRETARY HAWKER:

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Senate Bill 2159.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary I offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Madam President and Members of the Senate. Amendment No. 1, adopted in committee, is a vehicle amendment. We're waiting for a report back from the juvenile services, the courts, the Department of Public Aid. That report will be embodied in this bill. We're just moving this to 3rd and we will bring it back when that amendment comes. I believe it's at the Reference Bureau now, and should -- and should be ready tomorrow.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator -- Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 2159. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Senator Schaffer.

SENATOR SCHAFFER:

Well, it seemed like this is a historic moment. I've heard of vehicle bills, but this is the first vehicle amendment. Is this like a trailer on a vehicle? I mean, it's a new concept. I think we ought to, you know -- you know, memorialize it, at the very least.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 2159. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

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No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 2163. Senator Barkhausen. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 2163.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

Senators Barkhausen and Thomas Dunn offer Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen, Amendment No. 1.

SENATOR BARKHAUSEN:

Madam President, Amendment No. 1, offered by Senator Dunn and myself, deletes the original bill and substitutes in its place a Limited Liability Company Act. We had started to have some discussion of this amendment the other day - and so to continue, or to repeat myself slightly - what a limited liability company would be is a -- partially a corporation and partially a partnership. It could have certain characteristics that have traditionally been characteristics of corporations - most particularly, the limitation of liability of shareholders to the amount of their investment, but at the same time could, according to the Internal Revenue Service, receive the treatment that partners -- investors in partnerships receive - that is the pass-through of profits to the individual investors. Nine other states have already taken this step. There is a considerable interest in the possibility of creating these entities on the part of businesses in this State, and those who represent them. And I move its adoption.

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PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen has moved the adoption of Amendment No. 1 to Senate Bill 2163. Discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. 2167. Senator Davidson. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 2167.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Transportation offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Davidson, Committee Amendment No. 1.

SENATOR DAVIDSON:

Madam President, would move to -- I move to table Committee Amendment No. 1, and then we will adopt the Floor amendment, which takes care of that problem and corrects another problem.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Davidson moved to table Committee Amendment No. 1. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is tabled. Now, Senator -- any further amendments -- further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Davidson offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR COLLINS)

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Senator Davidson, Amendment No. 2.

SENATOR DAVIDSON:

Madam President and Members of the Senate, this amendment puts in the language that was in the committee amendment that we tabled. It also removes the language which the Trial Lawyers and the Med Society objected to. Also adds an immediate effective date. I move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Davidson has moved the adoption of Amendment No. 2 to Senate Bill 2167. Discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen. Would the Senator yield for a question?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR JACOBS:

Senator, in the bill you removed the provision limiting liability to physicians. Is that only for the information, or is that removing the liability for any Good Samaritan for any act they may perform as a Good Samaritan, or does it just remove the liability for the information that they would supply?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Davidson.

SENATOR DAVIDSON:

Just the information liability.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jacobs. Further discussion? If not, Senator Davidson has moved the adoption of Amendment No. 2 to Senate Bill 2167. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

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PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 2171. Senator Barkhausen. Read the bill, Madam.

SECRETARY HAWKER:

Senate Bill 2171.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Barkhausen offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen, Amendment No. 1.

SENATOR BARKHAUSEN:

Thank you, Madam President. Amendment No. 1 is to a bill that comes to us from the Secretary of State's Office to make uniform a step that we took a few years ago raising our drinking age, for various purposes, back up to twenty-one. The exception has still been that -- that the consumption of alcohol by persons within a residence has, in some cases, not -- not been at the age, or limited to -- to those who are twenty-one. And so what this amendment does is to create a couple of exceptions to this step that we're taking - number one, if the person occupying the residence is a parent or legal guardian of a person under the age of twenty-one and allows the possession or consumption of alcohol in moderate amounts by his child or ward. And secondly, if the parent or legal guardian of a person under twenty-one is present and gives permission, not necessarily in their own residence, but present and gives permission to the occupant of another residence for the possession or consumption of alcohol in moderate amounts by his child or ward, that too would be permissible under the language of this amendment. And I move its adoption.

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PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen has moved the adoption of Amendment No. 1 to Senate Bill 2171. Discussion? If not, those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 2177. Senator Welch. Senate Bill 2178. Senator Alexander. Senate Bill 2179. Senator del Valle. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2179 offered by Senator del Valle.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator del Valle offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. This amendment was worked out with the State Board of Education, and it eliminates provisions which created bilingual special ed and bilingual school personnel certificates, and it requires the State Board of Education to develop rules governing the qualifications of teachers and school personnel who provide services to limited English-proficient students.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator del Valle has moved the adoption of Amendment No. 1 to Senate Bill 2179. Discussion? If not, those in favor, indicate

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by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 2181. Senator Schaffer. Senate Bill 2183. Senator Leverenz. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 2183.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 2197. Senator Karpziel. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 2197.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

Senator Karpziel offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel, Amendment No. 1.

SENATOR KARPIEL:

Thank you, Madam President. The amendment is a cleanup, and -- to -- to the bill and, I believe, indicates a -- an agreement between the cemeteries and the funeral directors. It clarifies

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when a trainee can remove a deceased human body. And during an investigation, it allows the person an additional twenty days' notification of a hearing. And it permits the Department to take action against a licensee who does not respond to a written request to answer the charges.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator -- Senator Karpiel has moved the adoption of Amendment No. 1 to Senate Bill 2197. Discussion? Discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 2201. Senator Marovitz. Read the bill, please.

SECRETARY HAWKER:

Senate Bill 2201.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Consumer Affairs offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Marovitz, Committee Amendment No. 1.

SENATOR MAROVITZ:

Thank you very much, Madam President and Members of the Senate. I would move to table Committee Amendment 1 to Senate Bill 2201. We have been working for quite a -- quite an amount of time with an awful lot of groups. The amendment that we've been working on is in the Reference Bureau now, and I'd like to move the bill to 3rd Reading and then pull it back.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator -- Senator Marovitz has moved the adoption of Committee Amendment...

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SENATOR MAROVITZ:

No - no - no - no. I move to table the amendment.

PRESIDING OFFICER: (SENATOR COLLINS)

Move to table Committee Amendment No. 1. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is tabled. Now, Senator -- any further committee amendments?

SECRETARY HAWKER:

No further committee amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

Any amendments from the Floor?

SECRETARY HAWKER:

No Floor amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Top of page 14. Senate Bill 2111. Senator Jacobs. Senate Bill 2218. Senator DeAngelis. Senate Bill 2225. Senator Rock. Senator DeAngelis. Okay. 2218.

SECRETARY HAWKER:

Senate Bill 2218.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Are there amendments from the Floor?

SECRETARY HAWKER:

Senator DeAngelis offers Amendment No. 1.

PRESIDENT ROCK:

Senator DeAngelis, on Amendment No. 1.

SENATOR DeANGELIS:

Thank you, Mr. President. Floor Amendment No. 1 is an amendment that was requested by the State Board of Education. The bill itself abolishes a certain board in Cook County and gave their responsibility to the State Board of Education. They would

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like for that -- they are in concurrence with the abolishing, but would like to have the function moved to the township treasurers. I urge the adoption of Amendment No. 1.

PRESIDENT ROCK:

Senator DeAngelis moves the adoption of Amendment No. 1 to Senate Bill 2218. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. All right. Ladies and Gentlemen, we'll continue on page 14. We are now moving to the Order of Senate Bills 3rd Reading. The Secretary has distributed a copy of the Recall List. There are about twelve bills on the Recall. We'll handle the Recall List and then start again at the top on 3rd Reading, and go till approximately five-thirty. Page 14 on the Calendar. Senator Watson seeks leave of the Body to return Senate Bill 1520 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1520, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Woodyard.

PRESIDENT ROCK:

Senator Woodyard, on Amendment No. 2.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. This amendment - Floor amendment - contains not only language that was requested by my home county supervisor of assessments, but some other changes requested by the Department of Revenue. Last week we adopted an amendment to this bill that did contain one portion of objectionable language. Certainly, I appreciate Senator

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Hawkinson bringing that to my attention. That language has been removed. So if you'll bear with me just a moment, I'll -- I'll run through what -- what this amendment does at this time. The first portion of this contains the same language that deals with my home county that we had last week. It allows a county board that would have adopted the four assessing districts to continue to adopt those assessing districts after the January 1st, 1990 deadline. This extends that deadline for them to do a resolution to January 1 of '92. The second portion of this would require any boundary changes dealing with county recorders - those boundary changes would have to be recorded with the county recorder. Presently, county clerks do receive this information, but it's a little gray, evidently, as to whether county recorders have to or not. This was also requested by the Department of Revenue. The third area, where we had the overlap taxing districts, particularly in Will and Cook Counties, due to the changes that we made in 1378 last year - there was a provision that mandated the Department of Revenue to be the arbitrator, evidently, in the apportionment of those taxing districts. This takes it back to making it optional again. The fourth thing would require -- well actually, we're de-mandating something with this fourth area, because it would eliminate the need for the county clerk to certify and send a copy of the county collector's bond to the Department, which they never use anyway. The fifth thing is rather redundant, from the standpoint that it changes the levy certification date of road districts, and these were all changed under 1378 last year. So that, basically, is what the amendment does. I don't know of any objection or any opposition to this amendment.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Madigan <sic> (Woodyard) has moved the adoption of Amendment No. -- Amendment No. 2 to Senate Bill 1520. Discussion?

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Senator Fawell.

SENATOR FAWELL:

Thank you very much. I have no problem with what you're doing, Senator. But I did get a -- a correspondence from my -- one of my township supervisors, who said when we changed the levy date of the road commissioner, that ended up that there had to be almost a special meeting of the -- town meeting to verify the authorization of the levy of the township supervisor. And he was wondering if, by any chance, we could do it the same day.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Fawell -- Senator, are you asking a question? Senator Madigan. Senator Woodyard. I'm sorry.

SENATOR WOODYARD:

Yes. As I indicated, Senate Bill 1378 did change all of those levy dates anyway. This is simply a technical cleanup of what was done last year in 1378.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Fawell. Further discussion? If not, Senator Woodyard has moved the adoption of Amendment No. 1 to Senate Bill -- Amendment No. 2 to Senate Bill 1520. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. On page 14, on the Order of 3rd Reading, Senate Bill 1557. Senator Luft seeks leave to have -- no? Out of the record. On page 14, Senate Bill 1590. Senator Vadalabene. On page 14 on your Calendar. Senate Bill 1590. Senator Vadalabene seeks leave to have the bill returned to the Order of 3rd <sic> (2nd) Reading for the purpose of amendment. Is leave granted? Leave is granted. Senator Vadalabene. Madam Secretary.

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SECRETARY HAWKER:

Amendment No. 2 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Madam President. I want to -- wish to table Floor Amendment No. 1, first.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Vadalabene moves to table Amendment No. 1 to Senate Bill 1519 <sic> (1590). Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is tabled. Now, Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Madam President. Amendment No. 2 - this amendment is identical to the previous amendment. This amendment corrects a technical error in the first amendment, and I move for its adoption.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Vadalabene has moved the adoption of Amendment No. 2 to Senate Bill 1590. Discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. On page 15 on the Calendar, Senate Bill 1620, on the Order of 3rd Reading. Senator Karpziel seeks leave to return Senate Bill 1620 to the Order of 3rd -- 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. Senator -- Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Karpziel.

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PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. Amendment No. 2 actually becomes the bill, and what it does is it corrects a mistake that was made in legislation last year when we tried to remove Schaumburg from the DuPage -- the Schaumburg Airport from the DuPage Airport Authority, which was agreed to by everyone; but at the time, we made a mistake, and -- with the population figures, et cetera, also took out St. Charles, which does not want to be removed from the DuPage Airport Authority. This amendment puts St. Charles back in the Authority. It also says that if there are two communities that lie outside of DuPage County, then that -- those two communities each get a board member. If only one community lies outside the Authority, they get one -- one board member. And that's what the amendment does.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel moves the adoption of Amendment No. 2 to Senate Bill 1620. Discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Karpziel.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel, Amendment No. 3.

SENATOR KARPIEL:

This amendment simply says that if an airport authority is going to be -- has property for commercial and recreational purposes, that they cannot actually do the developing or operating of the commercial facilities.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Karpziel has moved the adoption of Amendment No. 3 to

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Senate Bill 1620. Discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bills -- on page 15, Senate Bill 1637. Senator Demuzio. 1634. Senator O'Daniel. 1734 -- I'm sorry. Senate Bill 1965. Senator Palmer. Senator -- 1637 for Senator Demuzio -- indicated he wanted to move his, Senator Palmer. So, 1637. On page 15 of your Calender, Senator Demuzio seeks leave to return 1637 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Hearing no objection, leave is granted. Senator Demuzio. Amendment No. 3. Madam Secretary.

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much. The bill would take the Illinois Farm Development Authority, which they have requested, out of the lending business, and that's precisely what the net thrust of this amendment would be. And therefore, I would move its adoption.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Demuzio moved the adoption of Amendment No. 3 to Senate Bill 1637. Discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Now, Senate Bill 1695 <sic> (1965). Senator

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Palmer. Senator -- on page 16 of the Calendar, Senator Palmer seeks leave to return Senate Bill 1665 <sic> (1965) to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Hearing none, leave is granted. Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Palmer -- pardon me.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Palmer, Amendment No. 1.

SENATOR PALMER:

Thank you, Madam President, Members of the Senate. This amendment is the recommendation of the Department of Public Aid, and the amendment becomes the bill. It maintains the original intent of Senate Bill 1965, which is to make it less difficult for mothers receiving AFDC to get married. I move adoption.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Palmer has moved the adoption of Amendment No. 1 to Senate Bill 1965. Discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Page 17 of the Calendar, Senate Bill 1986. Senator Leverenz. Senator Leverenz seeks leave to return Senate Bill 1986 to the Order of 2nd Reading for the purpose of amendment. Leave is -- hearing no objections, leave is granted. On the Order of 2nd Reading, Senate Bill 1687 <sic> (1986). Senator Welch. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Welch.

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SENATOR WELCH:

Thank -- thank you, Madam President. What the amendment does is delete the original bill and amends the Code of Civil Procedure to permit the delivery of summons by certified mail for both garnishment of property and garnishment of wages. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Welch has moved the adoption of -- of Amendment No. 1 to Senate Bill 1986. Discussion? If not, those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDING OFFICER: (SENATOR COLLINS)

3rd Reading. Senate Bill 2168. He does not wish it called. Senate Bill 2217. Senator Maitland. ...(machine cutoff)...ends -- ends our Recall List. Page 14 on your Calendar. 3rd Reading. Page 14. 3rd Reading. Senate Bill 1518. Senator Luft. Senate Bill 1520. Senator Watson. Senate Bill 1532. Senator Vadalabene. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1532.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Madam President. 1532 provides that members of the Armed Forces who were held as prisoners of war after September 16th, 1940, are entitled for payments of fifty dollars per month while they were held as prisoners, if they -- if they resided in Illinois for twelve months before entering into the services. We

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have researched this. The bill has been amended. It goes only to the surviving -- surviving recipients, and the cost of it would be about one million eight hundred thousand dollars, and I would ask for your support.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Vadalabene has moved for passage of Senate Bill 1532. Discussion? Discussion? If not, those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 53 Ayes, no Nays, none voting Present. Having received the required constitutional majority, Senate Bill 1532 is declared passed. Senate Bill 1554. Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1554.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. 1554 is merely a vehicle. We were going to use it, if and when the Task Force on School Finance comes up with something. It won't be done this week, so I'd just move the bill along as -- for future use.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator -- Senator Berman has moved the adoption of Senate Bill 1654 <sic> (1554). Discussion? Senator -- if not, those in favor will indicate by saying Aye. Senator Berman has moved passage of Senate Bill 1654 -- 1564 <sic> (1554). Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 39 Ayes, 16 Nays, 1 voting

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Present. Having received the required constitutional majority, Senate Bill 1554 is declared passed. Senate Bill 1557. Senator Luft. Senate Bill 1564. Senate Bill 1564 -- 1584. Senator del Valle. Senate Bill 1588. Senator Carroll. Senator Carroll. Senate Bill 1590, on Recall. Senate Bill 1605. Senator Marovitz. Top of page 15. 1620, Recall. 1622. Senator Topinka. Recall. 1637. 1638. Senator Carroll. Senate Bill 1645. Senator Smith. Senate Bill 1651. Senator Jones. Read the -- is that a yes? Read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1651.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator -- Senator Jones.

SENATOR JONES:

Thank you, Madam President. Senate Bill 1651 is merely a vehicle bill for the horse racing industry as we continue to negotiate on necessary changes that we make, and that's all it does right now. And if we come to some agreement, we will use this bill for that purpose.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones has moved the -- further discussion? Senator Topinka.

SENATOR TOPINKA:

Madam President, -- a question of the sponsor.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR TOPINKA:

Will this bill be limited to just horse racing, or will any other form of gambling come back to us on it?

PRESIDING OFFICER: (SENATOR COLLINS)

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Senator Jones.

SENATOR JONES:

Right now it's just limited to the horse racing industry. And I'm -- it's not my intention to have any other form of gambling at this particular point.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, those in favor will vote Aye. 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, there are 26 Ayes, 21 Nays, 4 voting Present. Having failed to receive the required constitutional majority -- the sponsor is requesting postponed consideration. Senate Bill 1660. Senator Jones. Read the bill.

END OF TAPE

TAPE 3

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1660.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

Thank you, Madam President. Senate Bill 1660 is a bill to be used for -- if and when we hold the hearings and -- on the Insurance Code with sunset at the end of this year, this bill will be used for that purposes. So that if we extend or if we decide to make some changes in the Insurance Code after those hearings,

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this bill will be used for that particular purpose.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall Senate Bill 1660 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 22, 1 voting Present. Senator. Postponed Consideration. How about 1661? Senator Jones. 1662. 1669. Senator DeAngelis. 1678. Senator Berman. All right. Senate Bills 3rd Reading, Senate Bill 1678, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1678.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill - Senate Bill 1678 - would allow a court to equitably award money from the estate of a deceased parent for a child's educational expenses. It authorizes an application for educational expenses after the death of either parent. It lists types of permissible educational expenses and specifies payment alternatives. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

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Are you -- by your bill -- already we have it in the Statutes, if I recall correctly, where a college education can be asked for for a child. Are you -- is your bill just expanding what is included in the college education?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

It's the intent -- the provision you refer to deals with living parents. You can go in and ask that the court provide it. This applies when the parent passes away, and in that estate, and provide for that payment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, my analysis indicates that in -- that in committee, the Bar Association expressed some reservations, and we were going to hold it for an amendment. I don't see any amendment. Have those concerns been resolved?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I talked to - and I've got his card here - Mr. Mirabelli. He had raised some questions, I told him - and I gave him the schedule - you know, Friday's our -- our deadline. He has not come back to me. If he has something that has to be amended, I'll be happy to take a look at it in the House, but he did not come back to me with it.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Fawell.

SENATOR FAWELL:

I -- I think what -- what Senator Hawkinson was talking about is the question of how long does this go on. You know, right now, I've got a son that's thirty-eight that I'm sending to college, but that's because I want to. His father certainly has nothing to do with it. Are we talking basically about having, you know, college-age children being taken care of this way? I have no problem with that; I do have a problem forever and a day.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Well, none of us have a crystal ball, and -- and this bill does not restrict the age of the -- of the child, and I use "child" meaning the offspring. It could be an adult offspring. But keep in mind that there are going to be at least two parties, if not more, to this petition. One might be the -- the offspring that wants to go to college. The second is the executor of the estate or the administrator of the estate. The third might be other heirs. It's up -- going to be up to the court to determine whether, for example, a forty-year-old offspring suddenly decides that after thirty years - he never decided to go to college - now he wants to. I don't think that a court is going to allow that. There would be very strong objections. This allows some flexibility, but it certainly isn't a mandate. I think it's a reasonable approach where you have a deceased parent, there is an estate, an offspring wants to go to college. Let somebody decide

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if that offspring can or cannot have the resources to go to college. It's -- it's flexible. It's up to the court to hear all the arguments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill -- 1678 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 2, 4 voting Present. Senate Bill 1678, having received the required constitutional majority, is declared passed. 1681. Senator Berman. Madam -- Mr. Secretary, 1681, please.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1681.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This requires school boards to develop a written policy on use of reasonable force by teachers. The original language was amended to address the needs of teachers to be able to exercise reasonable discipline procedures in the classroom, and that amendment was adopted. I think what we have here is language which is flexible enough to address safety needs in the classrooms, but to recommend that corporal punishment not be the policy of the State of Illinois. Be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 1681 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all

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voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 26. Senator Berman requests postponed consideration. 1683. Senator Cullerton. 1683, please.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1683.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill affects the water -- Metropolitan Water Reclamation District Act, and enables the District to take more effective action against industrial polluters by providing on-site personal service of cease and desist orders, the imposition of fines by the Board of Commissioners after a full hearing, and procedural due process safeguards for alleged violators. The Water Reclamation District has enacted an ordinance which is designed to regulate the types of industrial -- the use -- water, after it's been used for industrial purposes, that may be discharged into the sewers. And these are treated at the District's plants and then discharged into the Chicago Sanitary and Ship Canal. So that -- the U.S. EPA has indicated that the -- the effectiveness of the District's enforcements of its ordinance is suspect, and this bill is in response to that. It's required the District to obtain statutory authority to allow the Board of Commissioners to impose the fines, and the bill allows the Board to order a party who has been found, after a full hearing, to have violated the ordinance, to pay a fine which may not be less than a hundred dollars nor more than two thousand dollars per day of violation. We did amend the bill at the request of some industry representatives, and I would ask

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for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Keats.

SENATOR KEATS:

In looking at the analysis, I may be misunderstanding. You said -- or excuse me. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Keats.

SENATOR KEATS:

You're saying they cannot impose the fine until they have a hearing, but the hearing appears to be in front of the Water Reclamation District. In other words, the people imposing the fine are also the judge, jury, and prosecutor. Am I misreading something?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

If you look at page 5 of the amendment, what happens is that there would be a hearing officer that would take testimony and make a decision. The Board then votes to affirm or not affirm the hearing officer's decision. Then you have all the rights of administrative review. So the industrial entity can then take it to court if they disagree. It's a typical administrative review.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

This was heard in -- in the Local Government Committee. For those on this side of the aisle, if you will look on -- on the second page, with the amendment you will see this is an agreed amendment between the Illinois Manufacturers' Association and -- and the Water Reclamation Council. So, I -- I think it's okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Further discussion? Senator Cullerton may close.

SENATOR CULLERTON:

I just wanted to thank Senator Fawell for her endorsement.
Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1683 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 53, the Nays are none, none voting Present. Senate Bill 1683, having received the required constitutional majority, is declared passed. 1700. Senator Severns. Page 16. 1711. Senator Philip. 1717. Senator Collins. 1718. 1720. Senator Tom Dunn. Mr. Secretary, 1720.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1720.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. Currently under the law, if you wish to make a change of judge - which is called a substitution of judge - you must file an affidavit and show that there is prejudice that exists. What this bill does is to give you the right as a litigant, the right to substitute out a judge without stating a matter of prejudice. And what I would say to you is that that is a judgment call that, in all probability, an individual - a litigant - would make in conjunction with his attorney, and there may have been something that the lawyer feels that, for a particular reason, he does not want this judge to hear that particular issue. And that's the purpose of the bill. I

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urge an Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

...(microphone malfunction)...moved passage of Senate Bill 1720. Discussion? Discussion? If not, the question is, shall Senate Bill 1720 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 54 Ayes, no Nays, none voting Present. Having received the required constitutional majority, Senate Bill 1720 is declared passed. Senate Bill 1814. Senator Topinka. Senate Bill 1889. Senator Hall. Read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1889.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hall.

SENATOR HALL:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 1889 -- the DPA shall examine payments made to certain health care providers who provide services to Medicaid and AMI recipients. The amendment is the recommendation of the ancillary hospitals. This bill will further be amended when some agreement is reached to address disproportionate share hospitals. Digest -- it mandates DPA to analyze reimbursements made to Medicaid and Aid to the Medically Indigent health care providers to ascertain the fair distribution of these payments to disproportionate share hospitals. The report in Digest 1 shall be transmitted to the Governor and General Assembly on or before 1/1/93. The report shall include suggestions on how to enhance the balance of funding from nondisproportionate share hospital providers to disproportionate share hospital providers. I ask

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your most favorable support of this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hall has moved passage of Senate Bill 1889. Discussion? If not, the question is, shall Senate Bill 1889 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, none voting Present. Having received the required constitutional majority, Senate Bill 1889 is declared passed. Senate Bill 1923. Senator Jones. Senator Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1923.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

Thank you, Madam President. Senate Bill 1923, as amended, is merely a pension shell bill. It is to be used for the State retirement systems when all the negotiations have been completed, be it our system, be it the teachers', be it the -- the IMRF, but this is the pension vehicle bill. So you can vote your conscience and vote Yes.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall Senate Bill 1923 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 40 Ayes, 11 Nays, none voting Present. Having received the required constitutional majority, Senate Bill 1923 is declared passed. Senate Bill 1925. Senator Luft. Senate Bill 1927.

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Senator Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1927.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Madam President. Senate Bill 1927 extends the bonding authority for the Metropolitan Reclamation District to the year 2010. The purpose of this is to provide long-term, stable source of funding for major capital projects which provide essential flood and pollution control services for the entire Cook County area. These projects include the Deep Tunnel, Reservoir, Chicago Underflow Program, and also provides flood relief, including flood retention reservoirs in Suburban Cook County. To accomplish these goals, the District would need an additional four hundred and fifty million dollars in bonds between 1992 and 1996. And the District informs me it is very crucial that the District maintain, if possible, a -- a good bond rating. This way they can save taxpayers millions of dollars, and at the same time provide the necessary flood control services throughout Cook County, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR FAWELL:

Senator Jones, could you tell me - are these referendum or nonreferendum bonds?

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PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

They have always been nonreferendum bonds; and in further response to your question, if you are planning long-range projects, bond rating authorities, in order to keep that good rating, have to know whether or not those dollars are going to be there. And that's the reason why they have always been nonreferendum.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Fawell.

SENATOR FAWELL:

Senator Jones, isn't it true that up until this year we've always had five-year extensions, rather than this time to the year 2010?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

Yes, that is true. But the reason why the Authority is asking for this is because the longer the rating -- the longer the time, the better rating we get for bonds, which in turn mean less interest that we pay, and which in turn means lower taxes for the taxpayers of the Metropolitan Water Reclamation District, which is the entire Cook County area.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Fawell.

SENATOR FAWELL:

Well, to the bill: I just want everybody to take a good look at this. Do as you want, but these are nonreferendum bonds which will be extended till the year 2010. I'm not sure we really want to go this route.

PRESIDING OFFICER: (SENATOR COLLINS)

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Further discussion? Senator Palmer.

SENATOR PALMER:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR PALMER:

Senator Jones, are these examples of what this bill would be used for, or are there other intended capital projects that would fall under this?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jones.

SENATOR JONES:

These examples that I gave you are the intended purposes of the bill. There aren't any -- they didn't inform me of any other capital projects. And to elaborate even further, Senator Palmer, when the floods hit in the spring and hit suburban area, you talk about the Deep Tunnel, they have to plan long-range. And when you plan long-range, the bond rating authorities give you a good rating, which means less interest that you pay, which in turn saves the taxpayers dollars. That's the reason why they want this authority now, so they can continue to plan long-range on these projects.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Jones, to close.

SENATOR JONES:

I just ask for a favorable vote on this bill. It takes care of all the Cook County area. It deserves our vote because it saves the taxpayers money, and we should be voting Yea on this bill.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall Senate Bill 1927 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted

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who wish? Have all voted who wish? Have all voted who wish?
Take the record. On that question, there are 29 Ayes, 24 Nays.
The Gentleman is requesting postponed consideration. Senate Bill
1934. Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1934.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. -- thank you, Madam President, Ladies and
Gentlemen of the Senate. Senate Bill 1934 is at the request of
the State Treasurer. It would expand the Treasurer's authority to
invest in various types of instruments, and we grant permissive
authority to invest in money market mutual funds that were
registered on the Investment Company Act of 1940. And there's
another clarification with respect to the savings and loan
industry that the Treasurer may invest in any instrument that
constitutes a direct obligation against a federal- or
state-regulated savings -- savings bank or savings and loan. I
know of no opposition, ask for your support.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall Senate
Bill 1934 pass. Those in favor will vote Aye. Opposed, Nay. The
voting is open. Have all voted who wish? Have all voted who
wish? Take the record, Mr. Secretary. On that question, there
are 55 Ayes, no Nays, none voting Present. Having received the
required constitutional majority, Senate Bill 1934 is declared
passed. Senate Bill 1935. Senator Luft. Senate Bill 1939.
Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

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Senate Bill 1939.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Demuzio.

SENATOR DEMUZIO:

Hold it. Hold it.

PRESIDING OFFICER: (SENATOR COLLINS)

Out of the record, please. Senate Bill 1965, Recall List. Top of page 17. Senate Bill 1970. Senator Karpziel. Senate Bill 1976. Senator Luft. Senate Bill 1977. Senator Luft. Senate Bill 1983. Senator Severns. Senate Bill 1986, Recall. Senate Bill 1988. Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1988.

(Secretary reads title of bill)

It's the 3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Berman.

SENATOR BERMAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 1988 does two things. The first thing addresses the shortfall that many school districts are experiencing because -- in the delay of the State aid June double payment. And it allows the issuance of State aid anticipation certificates for a hundred percent of the State aid payment, instead of the present cap of seventy-five percent, and allows it to be outstanding for thirteen months, instead of -- as of August 1st. The second part of the bill addresses the technical problems confronting the three school districts up in Highland Park with their merger. It's a bill that will allow the merged district to operate, pending the election of the -- technical election of the

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new school board. And this has been cleared with the State Board of Education. They endorse this part of the bill also. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Watson.

SENATOR WATSON:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR WATSON:

I've been contacted by several of my superintendents concerning the ability of either anticipation borrowing, or borrowing in general, and they claim that this will not help them as far as the watch list is concerned, because they will be still in the financial need - or I'm not sure what the -- the word is I'm looking for here - but this will not help them if they are on the -- on the financial watch list, or on the watch list now with the State Board of Education. Are you familiar with that issue, Senator?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Berman.

SENATOR BERMAN:

No, and this bill was not intended to address that, so I'm -- I'm not able to give you a response to that concern.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Watson.

SENATOR WATSON:

Well, what we're going to allow the districts to do - we either delayed or lost payment, whichever -- whomever you're talking to - we are going to now allow them to anticipate not eighty-five percent, but a hundred percent of that lost payment during this particular fiscal year?

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PRESIDING OFFICER: (SENATOR COLLINS)

Senator Berman.

SENATOR BERMAN:

The -- it's -- the present law says seventy-five percent for the State aid anticipation borrowing. We're changing that to a hundred percent. The eighty-five percent is a continued cap regarding the district's total tax levy. What we've -- what we're doing is allowing State aid anticipation notes borrowing to cover the double June payment. But this bill does not address the watch list question that you raised.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, Senator Berman, to close.

SENATOR BERMAN:

Roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall Senate Bill 1988 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, none voting Present. Having received the required constitutional majority, Senate Bill 1988 is declared passed. Senator Thomas Dunn seeks leave to handle Senate Bill 2051 for Senator Lechowicz. Hearing no objections -- Senator Thomas Dunn. Senate Bill 2051. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 2051.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Madam President. This is a shell bill between the

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Retail Merchants and the Treasurer, and it's been pledged to me that this will deal only with a fund transfer only, and for that effect, we're asking to move it to the House.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall Senate Bill 2051 pass. Those in favor will indicate by saying -- voting Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 53 Ayes, no Nays, 1 voting Present. Having received the required constitutional majority, Senate Bill 2051 is declared passed. Senate Bill 2056. Senator Jones. Senate Bill 2072. Senator Savickas. Senate Bill 2079. Senator Luft. Senate Bill 2087. Senator Butler. Senate Bill 2088. Senator Lechowicz. Senate Bill 2090. Senator Lechowicz. Senate Bill 2091. Senator -- 2090. 2090. Senator Cullerton seeks leave to handle Senate Bill 2090 for Senator Lechowicz. Hearing no objections, Senate Bill 2090. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 2090.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. As was indicated by President Rock, Senator Lechowicz is convalescing. This bill was approved by the Local Government Committee. It is a shell bill amending the Illinois Municipal Code. And so with Senator Fawell's permission, we can pass this over to the House.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall Senate Bill 2090 pass. Those in favor will vote Aye. Opposed, Nay. The

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voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 30 Ayes, 21 Nays, 2 voting Present. Having received the required constitutional majority, Senate Bill 2090 is declared passed. Senator Watson. Senator Watson seeks -- Senator Fawell.

SENATOR FAWELL:

I'd like a verification of the -- of the last roll call.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Fawell is requesting a verification -- a verification of those voting in the affirmative. Will the Secretary please read -- Senator -- Senator Cullerton.

SENATOR CULLERTON:

Inquiry of the President. Did you go to another Order of Business after -- I believe you called on another Senator to have their bill called. I -- I think so. I'm just wanting to ask you to...

PRESIDING OFFICER: (SENATOR COLLINS)

I called the name, but I -- inadvertently -- she had her light on and I didn't recognize her. I'm sorry.

SENATOR CULLERTON:

I see. Okay. Thank you.

PRESIDING OFFICER: (SENATOR COLLINS)

Verification. Will the Secretary please read those who have voted in the affirmative.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, Cullerton, del Valle, Demuzio, Di Turi, Ralph Dunn, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, J.J. Joyce, Kelly, Leverenz, Luft, Marovitz, O'Daniel, Palmer, Rea, Rigney, Savickas, Severns, Smith, Vadalabene, Welch and Mr. President.

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PRESIDING OFFICER: (SENATOR COLLINS)

Does the Senator question the presence of any Member voting in the affirmative?

SENATOR FAWELL:

Senator Jones.

PRESIDING OFFICER: (SENATOR COLLINS)

Is Senator Jones on the Floor? Is Senator Jones on the Floor? Senator Jones is on the Floor.

SENATOR FAWELL:

Senator Alexander.

PRESIDING OFFICER: (SENATOR COLLINS)

Is Senator Alexander on the Floor? Senator Alexander?

SENATOR FAWELL:

Senator Rigney.

PRESIDING OFFICER: (SENATOR COLLINS)

Remove Senator Alexander's name. Senator Rigney.

SENATOR FAWELL:

Senator Rigney.

PRESIDING OFFICER: (SENATOR COLLINS)

Is Senator Rigney on the Floor? Remove his name.

SENATOR FAWELL:

That's all.

PRESIDING OFFICER: (SENATOR COLLINS)

On that question, there -- the roll has -- call has been verified. The sponsor is requesting postponed consideration. Senate Bill 2091. Senator Munizzi. Senate Bill 2092. Senator Munizzi. Senate Bill 2093. Senator Savickas. Senate Bill 2095. Munizzi. Senate Bill 2096. Munizzi. Top of page 18, Senate Bill 2097. Senator Savickas. Senate Bill 2100. Senator Luft. Senate Bill 2108. Senator Hall. Senate Bill 2010 <sic> (2110). Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

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Senate Bill 2110.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. This is a vehicle bill. It doesn't do anything at the present time. I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall Senate Bill 2110 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 52 Ayes, 3 Nays, none voting Present. Having received the required constitutional majority, Senate Bill 2110 is declared passed. Senate Bill 2120. Senator Mahar. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 2120.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Mahar.

SENATOR MAHAR:

Hello. Thank you, Mr. President and Members. What this does - Senate Bill 2120 - it abolishes the Offices of the Taxpayer Ombudsman. It's supported by the Department of Revenue, really for two reasons. Number one, their Problems Resolution Division already does everything that the Taxpayer Ombudsman Office was set up to do last year. And secondly, it'll save the State about four hundred thousand dollars. And I'd be happy to answer any questions.

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PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question is, shall Senate Bill 2120 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 55 Ayes, 1 Nay, none voting Present. Having received the required constitutional majority, Senate Bill 2120 is declared passed. Senate Bill 2131. Senator Hall. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 2131.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a -- a bill that Senator Schuneman and I are carrying for the Audit Commission. It amends the Illinois Purchasing Act and multiyear leases. It establishes terms and duration of State agencies' multiyear leases, lease-purchase agreements and purchase agreements for tangible personal property. It limits multiyear contracts to two years, unless a longer period of time is expressly permitted for tangible personal parties <sic> (properties). However, it shall be no longer than the useful life of the property. The exceptions include -- permissible for seven-year leases agreements: telecommunication; duplication; electronic data process; scientific, research and medical equipments; and large trucks, heavy roads or construction equipment, and major farm equipment. It's -- permissible for three years: autos, station wagons, minivans and light trucks. And it grants to the Director of CMS the authority to authorize agreements for a period up to five years, as exception of the time

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period. I ask your most favorable support of this legislation.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall Senate Bill 2131 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 54 Ayes, no Nays, none voting Present. Having received the required constitutional majority, Senate Bill 2131 is declared passed. Senate Bill 2135. Senator Weaver. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 2135.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Madam President. Senate Bill 2135 would amend the Revenue Anticipation Act to include State colleges and universities. The tax anticipation notes issued under the Revenue Anticipation Act must be approved by at least two-thirds of the governing body and are limited to a term of twelve months. Be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall Senate Bill 2135 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please. On that question, there are 56 Ayes, no Nays, none voting Present. Having received the required constitutional majority, Senate Bill 2135 is declared passed. Senate Bill 2138. Senator Etheredge. Senate Bill 2139. Senator Weaver. Senate Bill 2151. Senator Watson. Senator Watson. Senate Bill 2164. Senator Barkhausen. Read the

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bill, please.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 2164.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Madam President and Members, this is the Secretary of State's securities bill. It is still in vehicle form, and awaits the possible recommendations of the Securities Advisory Committee of the Secretary of State's Office. I'd ask that we move the bill along and -- and await the recommendations from this group when the bill reaches the House.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall Senate Bill 2164 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, please. On that question, there are 56 Ayes, no Nays, none voting Present. Having received the required constitutional majority, Senate Bill 2164 is declared passed. Senate Bill 2165. Senator Hawkinson. Read the bill, please. 2165.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 2165.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. This is the Secretary of State's bill that creates the Evidence Fund in the Secretary of State's Office as a repository for any proceeds received by the Secretary

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from participation in a State or federal drug forfeiture action. As of now, the Secretary of State has assisted in some federal investigations involving title to motor vehicles and others. Because of the absence of this fund, they've had to refuse forty-one thousand in -- in proceeds that the State would have otherwise been entitled to. This does not in any way change the formula for the Forfeiture Act. It passed out of committee unanimously. The Secretary is committed, because apparently, since committee, there has been some expressed concern about the potential uses for this fund, and the Secretary has made the commitment, which I will second, that if there's a need to tighten up the language for the future uses of this fund, that can be done in the House and will be. I would be happy to answer any questions, and move for the passage of Senate Bill 2165.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? If not, the question is, shall Senate Bill 2165 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, please. On that question, there are 56 Ayes, no Nays, none voting Present. Having received the required constitutional majority, Senate Bill 2165 is declared passed. Senate Bill 2168. Senator Barkhausen. Senate Bill 2169. Senator Raica. Top of page 19. Senate Bill 2170. Senator Mahar. Senate Bill 2200. Senator Savickas. Senate Bill 2217. Senator Maitland. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 2217.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Maitland.

SENATOR MAITLAND:

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Thank you very much, Madam President. Senate Bill 2217 would allow regional superintendents to invest funds in any instrument authorized for custodians of public funds by the Public Funds Investments Act. This bill purports to provide a leveler playing field for investments. It passed out of committee on the Agreed Bill List. I -- I know of no opposition, and I would appreciate your support.

PRESIDING OFFICER: (SENATOR COLLINS)

Discussion? If not, the question -- if not, the question is, shall Senate Bill 2217 pass. Senator -- Senator Holmberg, now your light is on. Senator Holmberg.

SENATOR HOLMBERG:

Yes, I have some serious questions about this. In fact, I had an amendment on the Recall List earlier, and Senator Maitland was off the Floor. There are, I think, some serious questions about how these various funds are investment -- are invested. If I could ask the sponsor a question.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR HOLMBERG:

What investment fund, Senator Maitland, does this bill enable regional superintendents to invest in, and what organizations created this fund?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President and Members of the Body. This bill originated with the Illinois School District Liquid Asset Fund, and it is -- it is a part of the Illinois Association of School Boards. And -- and -- and, Senator, if I might say, I -- I saw that my -- that that bill was on the Recall List, and -- and I checked, and I understood that people had talked to you and

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your problem had been resolved. And I apologize if that was not the case.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Holmberg.

SENATOR HOLMBERG:

Could you tell me if the Illinois Association of School Boards benefits monetarily from investments in the fund?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Maitland.

SENATOR MAITLAND:

Thank you -- thank you, Madam President. The -- the investors of the funds and the funds will -- will benefit because of better competition, and I think that's the purport of the bill, Senator.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Holmberg.

SENATOR HOLMBERG:

I'm not sure you answered my question. Does IASB itself benefit from this?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Maitland.

SENATOR MAITLAND:

Senator, are you asking me if -- if the Illinois Association of School Boards benefits financially?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Holmberg.

SENATOR HOLMBERG:

Yes.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Maitland.

SENATOR MAITLAND:

I've got to answer you honestly, Senator, and say that I -- I don't think so. I think their concern is that -- that -- that

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funds - school funds - are invested in a -- in an instrument that will provide them good competition to assure the best possible investment, the best possible interest, and therefore accrue those dollars back to school district. I think that's the purport of the bill.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Holmberg.

SENATOR HOLMBERG:

Also, does a regional superintendent need to receive the permission of a school district before he invests the district's money in this fund, and is there any restriction on how long he can keep the money in that fund?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Maitland.

SENATOR MAITLAND:

Senator, I -- I think it's probably no different than -- than the instruments that they now invest the money in. I -- I'm assuming that they -- that they -- they have the authority to invest these funds into an instrument that is approved -- that is approved and -- and do that in the spirit of good investment, and therefore good return on that investment.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Holmberg.

SENATOR HOLMBERG:

And then if you could tell me who gets the interest that is earned on these funds. You know, I -- I think there's some real questions about, you know, what happens to all this money.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Maitland.

SENATOR MAITLAND:

Senator, that works no different than the instruments that they invest the money in already. This is just another instrument

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that will be approved by the fund, that will increase the competition to accrue more benefits to the school districts who have entrusted the funds with the regional superintendent investing those funds.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Holmberg.

SENATOR HOLMBERG:

I still have some -- some real misgivings about proceeding with this bill the way it is, and I'm going to have to oppose it.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Would the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR JACOBS:

Senator, are we -- you know, I get a little nervous, I guess, whenever we look at different types of -- of public entities commingling their money. And as I see this, and as I read our analysis, are we saying that the educational facilities and the -- the county sups and the service centers are going to be able to commingle their money with townships?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Maitland.

SENATOR MAITLAND:

Senator, I can't -- I can't answer that question. I don't know.

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Jacobs.

SENATOR JACOBS:

Our analysis seems to indicate that. I don't know if that's so either, Senator, but I would -- I'll believe the -- the

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analysis for the moment. I think the idea has some merit, but I don't know if we -- we maybe are going too far on some of these things. And I understand the need to get the best interest, and I understand all of those good things. But I sometimes have a difficulty, especially whenever we cross-integrate dollars, that may be from -- from a -- a municipality form of government -- municipality form of government versus an educational form, and I have some problems with that...

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Madam President. A question of the sponsor, if I may.

PRESIDING OFFICER: (SENATOR COLLINS)

He indicates he will yield.

SENATOR TOPINKA:

Is it my understanding - and -- and I personally kind of like what you're doing here - but is it my understanding that the regional superintendent would -- would be allowed to -- to invest these funds collectively, prior to apportioning funds due the county from the State School Fund?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Maitland.

SENATOR MAITLAND:

It's my understanding that is correct.

SENATOR TOPINKA:

Okay. Then -- then what would...

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Topinka. Senator Topinka.

SENATOR TOPINKA:

...not -- or -- regional superintendents are created equally, as we know in Cook County, where we've had a real pip of one over the years; and although he is scheduled for elimination, the deed

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is not yet done. What is to prevent him from now holding onto these funds, which he would now have in a lump sum, pre-apportionment, before he's passed them out to anybody else, to just hold them up and collect the interest? I mean, we -- is there a -- what would prevent that?

PRESIDING OFFICER: (SENATOR COLLINS)

Senator Maitland.

SENATOR MAITLAND:

Senator, I've read from -- from the same analysis that you have, and I -- I -- I can't answer that -- that question precisely, and I know the concern that you have. I guess I can't give you a direct answer. I would assume that that wouldn't happen, but I don't know the mechanics of what they -- what they are allowed and are not allowed to do.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Keats.

SENATOR KEATS:

To the sponsor, not really a question. I think we're all doing the same thing. We're all reading an analysis, and I have to say your explanation of the bill is meritorious. On the analysis, this looks like a real dog. Maybe we should take a little time to look this over. I appreciate what you're saying, but based on this analysis, this bill, between Superintendent Martwick and the various other provisions that were raised by our friends on the other side of the aisle - I'd like to help you - but it would be hard to vote for a bill with -- with the analysis we have as we read this, particularly with the potential Cook County problems.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, thank you, Madam President. You know, I don't

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understand the opposition on this bill. Now if any of you have served on the Audit Commission, there is a definition of public funds. All this says is, you invest public funds in the same manner you invest other public funds. So what's so onerous about that? And, Keats, I'm glad you don't work for the Humane Society, if you can't tell the difference between a dog and a good pet.

PRESIDING OFFICER: (SENATOR COLLINS)

Further discussion? Senator Maitland, to close.

SENATOR MAITLAND:

Thank you very much. Madam President and Members of the Senate, I -- I -- what we are doing here is -- is permitting one more fund to be an instrument into which investment can be made. The benefits -- the benefactors are going to be the school districts of this State because of the increased competition. The questions that have arisen, I believe, could be directed to any of those instruments that are now being used. The issue is the same. This is a -- this is an issue, I think, that's critically important to school districts that are hard pressed for funds, and I think it's -- it's an issue that's worthy of your support, and I would appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR COLLINS)

The question is, shall Senate Bill 2217 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please. On that question, there are 32 Ayes, 16 Nays, 2 voting Present. Having received the constitutional majority, Senate Bill 2217 is declared passed. Senate Bill 2239. Senator Demuzio. Resolutions.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 1282 offered by Senator Ralph Dunn.

Senate Resolution 1283 offered by Senator Butler.

Senate Resolution 1284, by Senator Topinka.

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1285, by Senator Hawkinson.

1286, by Senators Demuzio, Rock and all Members.

They're all congratulatory or death resolutions.

PRESIDENT ROCK:

Consent Calendar. Senator Demuzio, did you get overlooked, or looked over? Senator Demuzio.

SENATOR DEMUZIO:

Yeah. Can we call 2239?

PRESIDENT ROCK:

No question about it. Ladies and Gentlemen, with leave of the Body, we'll go back to page 19, Senate Bills 3rd Reading. On that Order is Senate Bill 2239. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Bill 2239.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr....(machine cutoff)...Gentlemen of the Senate. This bill obviously is not new to anybody in this Body for the last couple of years. It is a bill that's practically identical to the one we have passed two years in a row. It would, in fact, expand the Build Illinois Program and provide monies for funding for a two-hundred-and-fifty-million-dollar sewer and water project, and a hundred million dollars out of the School District Construction Fund. As you well know, under the Build Illinois Program, we dedicated all of our sales tax revenues, during that reform bill of a couple of years ago, to these projects, and this past year that fund - the Purposes Fund - had been receiving a surplus. I think last year's estimate was somewhere around

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thirty-four million dollars. A group of us went over and talked to the Governor last year about using the thirty-four million dollars to expend -- extend this Purposes Fund to the Build Illinois projects for these hundred and sixty-seven to two hundred communities around Illinois that need the sewer and water, and we felt that since it was dedicated to that project, that the money ought to stay in that -- in that particular fund. Unfortunately for us, he wanted to use that money to balance the budget, and as a consequence, the money was used for other purposes. What I'm attempting to do here is simply not to give up. If we don't appropriate money out of the Purposes Fund - it looks unlikely that we may - it would, in fact, say to the world that we are still interested in using our surplus money that went into that fund to -- to create the sewer and water projects, that we still have a concern about the infrastructure in Illinois. And as a consequence, I would ask for your support today to -- to pass Senate Bill 2239 in that vein.

PRESIDENT ROCK:

All right. The Gentleman has moved passage of Senate Bill 2239. Is there any discussion? If not, the question is, shall Senate Bill 2239 pass. Those in favor, vote Aye. Opposed, vote Nay. And the voting's open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, no Nays, none voting Present. Senate Bill 2239, having received the required constitutional majority, is declared passed. All right. Ladies and Gentlemen, we have two more items of business. There's been a request to go to the Order of Conference Committee Reports. Page 36. The Chair is informed that copies of the Conference Committee Report have again been distributed. It is on House Bill 1528. And then there's been a request to go to page 38 on the Calendar on the Order of Motions in Writing. Senators Luft and Dudycz and Fawell have Motions in

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Writing that have been filed. Senator Berman has also a Motion in Writing that has just been filed. So we'll do the Conference Committee Report and then move to Motions, and that will effectively conclude our business for today. Senator Keats, for what purpose do you arise?

SENATOR KEATS:

You mentioned the conference committee reports, and we're all sitting here over -- over here saying, "What conference committee reports?" None of us are finding it. Maybe it's here and we're just not seeing it.

PRESIDENT ROCK:

Senator Woodyard just found his. It's been distributed three or four times.

SENATOR KEATS:

Oh, it's not on a pink form. I'm sorry, it's not on a pink form. We're all looking for a pink form.

PRESIDENT ROCK:

I gotcha. Okay. All right. Madam Secretary, with leave of the Body, we'll move to page 36 on the Calendar. On the Order of Conference Committee Reports, there's a report with respect to House Bill 1528, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1528.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Under the Conference Committee Report, the Senate recesses from Senate Amendment No. 1, and this deletes all of that amendment and the bill. What it does do in its new form is amend the Metropolitan Pier and Exposition Authority Act concerning appointments, and amends the State Salary and Annuity Withholding Act concerning salary withholding for the

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Home Program. In particular, what it does is allows the McCormick Place Advisory Board to have the members appointed -- to be appointed by the Authority and to be residents of the area. It takes away the authority from the Speaker of the House, who believes he has a conflict. In addition, it allows for deduction from payroll for State employees to get into the Home Ownership Made Easy Act. I'd be glad to try to answer any questions.

PRESIDENT ROCK:

Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1528. I'm sorry, Senator Keats.

SENATOR KEATS:

Not giving the sponsor a hard time, but there are at least four people who have not signed this report. Any of them who hasn't signed it, could you tell us why? Is there a problem that we're missing?

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

I haven't heard of any objection. My understanding was that this report was pretty well agreed to by the time it -- it passed. It passed the House unanimously, I believe.

PRESIDENT ROCK:

All right. Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. To respond to that question, I had never been asked to sign that Conference Committee Report. Had I been asked, I don't see any problem with this matter.

PRESIDENT ROCK:

All right. Question is, shall the Senate adopt the Conference Committee Report on House Bill 1528. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. All voted who

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wish? Have all voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 1528, and the bill, having received the required constitutional majority, is declared passed. All right. Madam Secretary, with leave of the Body, we'll move then to page 38. 38 on the Calendar. There are three Motions in Writing and a fourth has just been filed by Senator Berman. So we will deal with those motions and that will conclude our business. Page 38 on the Calendar. There's a Motion in Writing with respect to Senate Bill 1556. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

I move to discharge the Committee on Revenue from further consideration of Senate Bill 1556, and that the bill be placed on the Calendar on the Order of 2nd Reading.

Filed by Senator Luft.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 1556 was never acted upon in the Revenue Committee. The subject matter of the bill is local mandates or the State mandates on local governments. We decided during the hearings that we would proceed not with the bill, but with the two constitutional amendments that were presented - one by Senator Watson that failed, and one presented by me that failed miserably. At this time, I would ask that Senate Bill 1556 be discharged and put on the Order of 2nd Reading, so we could attempt, in some way or manner, to deal with the subject matter of mandates and what we're doing to local governments.

PRESIDENT ROCK:

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All right. The Gentleman has moved to discharge the Committee on Revenue from further consideration of Senate Bill 1556 and asks that the bill be placed on the Order of 2nd Reading. Those in favor of the motion will vote Aye. Opposed, vote Nay. And the voting's open. 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. And the motion prevails, and the bill will be placed on the Order of 2nd Reading. Senator Dudycz. Madam Secretary, there's a Motion in Writing with respect to Senate Bill 1789. Please.

SECRETARY HAWKER:

I move to suspend Senate Rule 5C, and that the Senate Committee on Rules be discharged from further consideration of Senate Bill 1789, and that it be placed on the Senate Calendar on the Order of 2nd Reading.

Filed by Senator Dudycz.

PRESIDENT ROCK:

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, Senate Bill 1789 creates a statute of limitations on police board actions to suspend a police officer based upon allegations of unreasonable use of force. As you know, there is no statute of limitation for police board actions. There is for criminal actions. And I'd like to have the bill heard on 2nd and possibly...

PRESIDENT ROCK:

All right. The Gentleman has moved to discharge the Committee on Rules from further consideration of Senate Bill 1789, and asks that the bill be placed on the Calendar on the Order of 2nd Reading. Discussion? Senator Brookins.

SENATOR BROOKINS:

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Mr. President, I rise on another matter...

PRESIDENT ROCK:

All right.

SENATOR BROOKINS:

...of personal privilege.

PRESIDENT ROCK:

Yes. All right. Now, Senator Brookins, state your point, please.

SENATOR BROOKINS:

Yes. I have the Gillespie School from 9300 South State, and their teachers, Mrs. Solomon and Mrs. Kemp, in the audience to your right.

PRESIDENT ROCK:

Will our guests please stand and be recognized. Welcome to Springfield. All right. Senator Dudycz has moved to discharge the Committee on Rules from further consideration of Senate Bill 1789, and asks that the bill be placed on the order -- on the Calendar on the Order of 2nd Reading. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. All voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. And the motion prevails, and the bill will be placed on the Order of 2nd Reading. 1978. Senator Fawell. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

I move to suspend Senate Rule 5C, and that the Senate Committee on Rules be discharged from further consideration of Senate Bill 1978 and that it be placed on the Senate Calendar on the Order of 2nd Reading.

Filed by Senator Fawell.

PRESIDENT ROCK:

Senator Fawell.

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SENATOR FAWELL:

Thank you very much. This is a -- a bill that was requested by both the municipalities that are under the tax cap and the library -- municipal libraries. I've talked to Debbie Miller about it. She thinks it's also -- is a very good idea. What it would do is put in the law that the municipal libraries are also affected by the tax cap, but obviously get the money up to the full five percent. Be glad to answer any questions.

PRESIDENT ROCK:

All right. Senator Fawell has moved to discharge the Committee on Rules from further consideration of Senate Bill 1978, and asks that the bill be placed on the Calendar on the Order of 2nd Reading. If there's no discussion, those in favor of that motion will vote Aye. Opposed will vote Nay. And the voting's open. Have all voted who wish? Have all -- all voted who wish? Take the record. On that question, there are 39 Ayes, 10 Nays, none voting Present. The motion prevails, and the bill will be placed on the Order of 2nd Reading. Senator Berman. Madam Secretary, Senator Berman has filed a motion.

SECRETARY HAWKER:

I move to discharge the Committee on Executive from further consideration of Senate Joint Resolution 157, and that the resolution be placed on the Calendar on the Order of the Secretary's Desk.

Filed by Senator Berman.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senate Joint Resolution 157 is the resolution to create the committee to present the pros and the cons - the two arguments in favor of and against the education amendment that will be on the November ballot. We want to move

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this along, so that both sides have their input. I move the adoption -- move the Motion to Discharge.

PRESIDENT ROCK:

All right. Senator Berman has moved to discharge the Committee on Executive from further consideration of SJR 157, and asks that it be placed on the order -- on the Calendar on the Order of Secretary's Desk. All in favor of that motion, indicate by saying Aye. I'm sorry. I'm sorry. Senator Donahue.

SENATOR DONAHUE:

...(machine cutoff)...Mr. President, but I did have my light on when Senator Berman was speaking, so -- I rise to object to this. The three bills that were voted on previously are not under the deadline that we have for Friday. This is a resolution, and we believe very strongly that the committee process is there in order to discuss this. We moved the amendment through without any committee action, and we think that this is something that -- no -- was not -- so I -- I just think we can meet next week with Exec and we can do it.

PRESIDENT ROCK:

Take it out of the record. Messages from the House.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 221 together with House Amendment No. 1. Passed the House, as amended, May 14th. And I have a like message with regard to House Amendment No. 1 to Senate Bill 186.

PRESIDENT ROCK:

Secretary's Desk. All right. We will now go -- revert to the Order of House Bills 1st Reading for the purpose of moving those along. When we adjourn very shortly here, we will adjourn until

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ten o'clock tomorrow morning. Ten o'clock tomorrow morning, Ladies and Gentlemen, right here on the Floor. We'll start on the Order of Senate Bills 2nd Reading and again go through the Calendar, just as we did today, except that we will be dealing with appropriation bills. So, ten o'clock tomorrow morning. The Rules Committee will meet in my office at nine-thirty tomorrow morning. Also, we will be passing out a committee schedule for outlining and detailing the committee schedule for the next couple of weeks, so that people can plan accordingly. All right. With leave of the Body, we'll move to the Order of House Bills 1st Reading, Madam Secretary.

SECRETARY HAWKER:

House Bill 2653 offered by Senator O'Daniel.

(Secretary reads title of bill)

House Bill 2755 offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 2905 offered by Senator O'Daniel.

(Secretary reads title of bill)

House Bill 2969 offered by Senator O'Daniel.

(Secretary reads title of bill)

House Bill 3067 offered by Senator O'Daniel.

(Secretary reads title of bill)

House Bill 3070 offered by Senator Watson.

(Secretary reads title of bill)

House Bill 3060 -- pardon me, 3079 offered by Senator Marovitz.

(Secretary reads title of bill)

House Bill 3087 offered by Senator Woodyard.

(Secretary reads title of bill)

House Bill 3427 offered by Senator Holmberg.

(Secretary reads title of bill)

House Bill 3555 offered by Senator Holmberg.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

106th Legislative Day

May 19, 1992

(Secretary reads title of bill)

And House Bill 3598 offered by Senator Davidson.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT ROCK:

Any further business? Further announcements? The Secretary has asked me to advise the Membership that the new photograph that was taken last week is now on display in the well of the Chamber. You're all encouraged to take a look at it, if you wish to purchase one. If there is no further business, Senator Vadalabene moves that the Senate stand adjourned until Wednesday - Wednesday, May 20, ten o'clock in the morning. Ten o'clock tomorrow morning, Ladies and Gentlemen. The Senate stands adjourned till ten o'clock tomorrow morning.

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