

83RD GENERAL ASSEMBLY

REGULAR SESSION

JUNE 29, 1983

PRESIDING OFFICER: (SENATOR BRUCE)

The hour of eleven having arrived, the Senate will come to order. Prayer by the Reverend G.W. Waddles of the Zion Baptist Church of Springfield, Illinois. And will our guests in the galleries please rise.

REVEREND G.W. WADDLES:

(Prayer given by Reverend Waddles)

PRESIDING OFFICER: (SENATOR BRUCE)

Message from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to concur with the Senate in the adoption of their amendment to a bill with the following title, to-wit:

House Bill 26 with Senate Amendment No. 1.

And I have like Messages on the following House bills with Senate amendments:

House Bill 104 with Senate Amendment No. 1.

House Bill 112 with Senate Amendment No. 1.

House Bill 320 with Senate Amendments 1 and 2.

House Bill 333 with Senate Amendment 1.

House Bill 690 with Senate Amendment 1.

House Bill 1002 with Senate Amendment 1.

And House Bill 1371 with Senate Amendment 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Resolutions.

SECRETARY:

Senate Resolution 284 offered by Senator Savickas, and it's congratulatory.

PRESIDING OFFICER: (SENATOR BRUCE)

Resolution...Consent Calendar.

SECRETARY:

Senate Resolution 285 offered by Senator Etheredge.

And Senate Resolution 286 offered by Senator Demuzio...no, just have one resolution 285 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR BRUCE)

Executive. (Machine cutoff)...Johns on the Floor? Reading of the Journal. Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I move that the Journals of Tuesday, June 21st; Wednesday, June 22nd; Thursday, June 23rd; Friday, June 24th; Saturday, June 25th; Sunday, June 26th; Monday, June 27th and Tuesday, June 28th, in the year 1983, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. Resolutions.

SECRETARY:

Senate Resolution 286 offered by Senator Vadalabene, and it's congratulatory.

PRESIDING OFFICER: (SENATOR BRUCE)

Resolutions Consent Calendar. On the Order of Secretary's Desk, on page 5 of your Calendar, are concurrences. We have a series of appropriation bills that we would like to move. On the Order of Nonconcur, Senator Savickas, to nonconcur in those amendments. Alright? With leave of the Body, we will take those bills, the appropriation bills, in order and then go back through the Calendar for concurrences on the other bills so they might...start the process. (Machine cutoff)...we'll stand at ease for a moment. (Machine cutoff)...for what purpose do you arise?

SENATOR MAITLAND:

Thank you, very much, Mr. President, on a point of personal privilege, sir.

PRESIDING OFFICER: (SENATOR BRUCE)

State your point.

SENATOR MAITLAND:

Mr. President, in the gallery behind the Chamber on the right side is the Siverly 4-H Club from Normal. That particular club has some significance to me, that's my 4-H Club back four or five years ago, and their leader...their leader, Representative Gordon Ropp is on the Floor now. I'd like...and...and Mrs. Ropp, incidentally, is in the gallery also. I'd like them to stand and be recognized, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Would our guests please stand and be recognized by the Senate. Senator Schuneman.

SENATOR SCHUNEMAN:

A message to those young people in the gallery. In spite of the fact that two former members of your club became State Legislators, you young people should not be discouraged, you still have a chance to make something of yourselves, and stay right in there, hang in there.

PRESIDING OFFICER: (SENATOR BRUCE)

With leave of the Body, we will go to concurrences on Senate Bill 131. Senator Demuzio, do you have...Senator Demuzio on the Floor? Do you wish to nonconcur with House Amendment No. 1 to Senate Bill 131, which is the appropriation for the Auditor General? Motion is we nonconcur. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate does nonconcur with House Amendment No. 1, and the Secretary shall so inform the House. For what purpose does Senator Schaffer arise?

SENATOR SCHAFFER:

Well, I guess to beat Senator Buzbee and Senator Carroll to the punch a little bit. We're going to be moving through these appropriations, and I think it's the joint wisdom at this point to nonconcur and...with the idea of getting all of these appropriations in the posture of a Conference Commit-

tee, thinking that if, in fact, some agreement is worked out, that there are adjustments, salary...minor salary adjustments and others that need to be put in, and if nothing is worked out, we have to cut much further than we have. So, for those Republican sponsors on this side, I believe Senator Sommer and I would like to have you move to nonconcur and we'll get the process rolling.

PRESIDING OFFICER: (SENATOR BRUCE)

Thank you, Senator Schaffer. Will...Senate Bill 255...Senator Carroll.

SENATOR CARROLL:

...let me just add, so that everybody understands, the problem with these bills is they came over from the House. Many of them had more money in than is available under doomsday. Under either of all of the possible scenarios, whether there is a tax increase or not, these budgets are not in a balanceable shape. While it is extra work for the members who are sponsors, and more particularly the staff, we feel that they all have to be in conference so that if it's doomsday, we compare these, the Senate bills that the House added money to, down to a liveable, if there is such, doomsday level; and if, in fact, there is some level of incremental income by tax increase, we can allocate that amongst all the agencies in a fair way. So that while some of you may think your own is in pretty good shape, it won't be compared to others under either a doomsday or a tax increase scenario. So, unfortunately, we have to throw the whole budget into conference so that all can ultimately be treated fairly, whether it's good or bad.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. On...255, Senator...is there leave for Senator Carroll to hand that...handle that in the absence of Senator Rock? Leave is granted. Senator Carroll moves to nonconcur with House Amendment No. 1 to Senate Bill 255. On the

motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur. The Secretary shall so inform the House. Senate Bill 256. Senator Weaver moves to nonconcur with House Amendment No. 1. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate...the Secretary shall so inform the House. For what purpose does Senator Grotberg arise?

SENATOR GROTBORG:

To nonconcur on Senate Bill 332 and ask...and ask that the House recede from House amendment...

PRESIDING OFFICER: (SENATOR BRUCE)

Right. Senator Grotberg, what we'd like to do is take all the approp. bills and we'll get back and run through the Calendar. On 257, Senator Vadalabene makes a motion we nonconcur with House Amendment No. 1. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur, and the Secretary shall so inform the House. Senate Bill 258, Senator Davidson. Senator Davidson on the Floor? Senator Sommer, in the absence of Senator Davidson will handle it, and makes a motion that we nonconcur with House Amendment No. 1. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur. Senate Bill 259, Senator Carroll moves to nonconcur with House Amendment No. 1 to Senate Bill 259. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Secretary shall so inform the House. Senate Bill 260. Motion to nonconcur with House Amendment No. 1. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with House Amendment No. 1. Senate Bill 262, Senator DeAngelis moves to nonconcur with House Amendment 1 and 2 to Senate Bill 262. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The House...the Senate nonconcur with House Amendments 1 and 2. Senate Bill 264, Senator Weaver moves to nonconcur

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with House Amendment No. 1. Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with House Amendment 1. Senate Bill 278, Senator Carroll moves to nonconcur with House Amendments 1, 3, 6 and 7. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur. Senate Bill 280, Senator Buzbee moves to nonconcur with House Amendments 1 and 2. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur. Senate Bill 300, Senator Carroll moves that the Senate nonconcur with House Amendment No. 1. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur. On Senate Bill 301, Senator Carroll moves to nonconcur with House Amendments 1, 3 and 5. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with House Amendments 1, 3 and 5. Senate Bill 373, Senator Rigney. Senator...Rigney moves that the Senate nonconcur with House Amendments 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16 and 18 to Senate Bill 373. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with the House amendments enumerated. Senate Bill 374, Senator Weaver...moves to nonconcur with House Amendments 1 and 2. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur. Senate Bill 375, Senator Sommer moves to nonconcur with House Amendments 1, 2, 3, 5, 6 and 8. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur. Senate Bill...376, Senator Coffey. Senator Coffey moves to nonconcur with House Amendments 1 and 3. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with the House amendments. Senate Bill 377, Senator Sommer moves to nonconcur with House Amendments 1, 3 and 5. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with the House

amendments. Senate Bill 378, Senator Bloom. Senator Sommer moves that we nonconcur with House Amendments 1, 2 and 3 to Senate Bill 378. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur to House Amendments 1, 2 and 3. Senate Bill 379, Senator Coffey moves that we nonconcur with House Amendments 1 and 3. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with House Amendments 1 and 3. Senate Bill 381, Senator Grotberg moves that the Senate nonconcur with House Amendments 1, 2, 3, 4, 5 and 6. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with House Amendments 1, 2, 3, 4, 5 and 6. Senate Bill 383, Senator Mahar moves to nonconcur with House Amendments 1, 2 and 3. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with the House amendments. Senate Bill 384, Senator Mahar moves to nonconcur with House Amendment No. 1. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur. Senate Bill 385, Senator Kent. Senator Kent moves to nonconcur with House Amendments 1, 2 and...1, 2, 3 and 4 to Senate Bill 385. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur. Senate Bill 386, Senator Etheredge. Senator Etheredge moves to nonconcur with House Amendments 1, 2, 3, 4 and 5 to Senate Bill 386. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with the House amendments. Senate Bill 387, Senator Mahar moves to nonconcur with House Amendments 1, 2 and 3. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur. Senate Bill 388, Senator Sommer moves to nonconcur with House Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 to Senate Bill 388. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur. Senate Bill 389, Senator Coffey

moves...Senator Coffey. Senator Weaver moves to nonconcur with House Amendments 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28 to Senate Bill 389. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with the House amendments enumerated. Senate Bill 390, Senator Coffey moves to nonconcur with House Amendments 1, 2, 3 and 4. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur. Senate Bill 391, Senator Bloom...moves to nonconcur with Senate bills...with House Amendments 1, 2 and 3. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur. Senate Bill...392, Senator Davidson. Senator Davidson moves to nonconcur with House Amendments 1, 2, 4, 5 and 6. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur. Senate Bill 393, Senator Bloom. Senator Bloom moves that the Senate nonconcur with House Amendments 1, 2, 3, 4 and 5 to Senate Bill 393. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with the House amendments. Senate Bill 394, Senator Schaffer moves to nonconcur with House Amendments 1, 2, 3, 4, 8, 9, 10, 11 to Senate Bill 394. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur to the House amendments. Senate Bill 395, Senator Mahar moves to nonconcur with House Amendments 1, 2, 3 and 4. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No...and the Senate nonconcur with the House amendments enumerated. Senate Bill 398, Senator Kustra. Senator Kustra moves to nonconcur with House Amendments 1, 2, 3, 4, 5, 6, 7, 8 and 9 to Senate Bill 398. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with the House amendments. Senate Bill 399, Senator Kent. Senator Kent moves to nonconcur with House Amendments 1, 2, 3 and

4. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with the House amendments. Senate Bill 401, Senator Weaver moves to nonconcur with House Amendment 1. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with House Amendment 1. Senate Bill 407, Senator Schaffer moves to nonconcur with House Amendments 1, 2, 3 and 4. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with the House amendments enumerated. Senate Bill 481, Senator Carroll. Senator Carroll moves to nonconcur with House Amendment No. 1. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with House Amendment No. 1. Senate Bill 498, Senator Philip. Senator Weaver moves to nonconcur with House Amendments 1 and 3. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with the House amendments. On page 13 of your Calendar is Senate Bill 680. Senator Degnan moves to nonconcur with House Amendments 1, 2, 3, 4, 5 and 6 to Senate Bill 680. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with the House amendments...enumerated. Senate Bill 714, Senator Weaver moves to nonconcur with House Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11...10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 26, 27 and 28 to Senate Bill 714. On the motion to nonconcur, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with the House amendments. Senate Bill 715, Senator Weaver moves to nonconcur with House Amendments 1, 3, 5, 6 and 7. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with the House amendments. Senate Bill 766, Senator Lechowicz. Senator Lechowicz on the Floor? (Machine cutoff)...Carroll, on guardianship and advocacy under the sponsorship of Senator Lechowicz, did he wish to nonconcur?

The motion is to...Senator Carroll moves to nonconcur with House Amendments 1, 2, 3 and 4. On the...motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with...with the House amendments...Senate Bill 1144, Senate Egan moves to nonconcur with House Amendment No. 1. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur...with House Amendment 1 to Senate Bill 1144. For what purpose does Senator Marovitz arise?

SENATOR MAROVITZ:

Thank you,...very much, Mr. President and members of the Senate. Yesterday, I incorrectly nonconcluded with House Amendment No. 1 to Senate Bill 192. So, having voted on the prevailing side, I would move to reconsider the vote by which House Amendment No. 1 was nonconcluded with to Senate...to Senate Bill 192.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator DeAngelis, I am informed by the sponsor that he inadvertently did not, and the procedure that we would like to follow is to nonconcur and place this back on the Calendar for consideration tomorrow. Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'm not sharp on these rules, but was...were we voting on final passage on that yesterday?

PRESIDING OFFICER: (SENATOR BRUCE)

No, we did not. Alright. The motion is to reconsider the vote by which the Senate nonconcluded, which was not final passage and so that the message does not go back to the House, on House Amendment No. 1 to Senate Bill 192. On the motion to reconsider, those in favor say Aye. Opposed Nay. The Ayes have it. The vote is reconsidered and the matter is before the Senate. It will be placed back on the Calendar for final passage tomorrow. (Machine cutoff)...sponsor have on...on the Order of Secretary's Desk Concurrence.

Does...does any sponsor have a Senate bill that they would wish to nonconcur with before we start on the Order of Concurrence. Senator Kelly is recognized.

SENATOR KELLY:

Thank...thank you, Mr. President and members of the Senate. On Senate Bill 589 I would like to not concur in House Amendments No. 1 and 2. They've stricken everything after the enacting clause and really have changed the concept of the bill, and like to not concur and send it into a conference.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senate Bill 589, on page 11 of your Calendar. Senator Kelly has moved to nonconcur with House Amendments 1 and 2 to Senate Bill 589. Is there discussion? On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with House Amendments 1 and 2, and the Secretary shall so inform the House. Senator Rupp.

SENATOR RUPP:

Yes, thank you, Mr. President. Senate Bill 1146 has to do with enterprise zones. What has happened is that the amendment guts the bill. I would like to nonconcur and ask for that treatment. 1146. Senate Bill 1146.

PRESIDING OFFICER: (SENATOR BRUCE)

...at the bottom of page 20 of your Calendar is Senate Bill 1146, and Senator Rupp has moved to nonconcur with House Amendment No. 1 to Senate Bill 1146. Is there discussion of that motion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with House Amendment No. 1. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Just a...a parliamentary inquiry. What order of business are we on? Are we going to go down the Calendar numerically, are we going to skip all over the place? You know, if we're going to skip all over the place, I think everybody ought to

know we're going to skip all over the place.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, Senator, we are going to start back with the Order of Concurrence in a...in a moment where we ended yesterday, and if the Body wishes, we can go down right from page 1 down through, but I'm afraid we've done that once and it was not very successful. Senator Grotberg, for what purpose do you arise?

SENATOR GROTBERG:

On the Order of Nonconcurrence, Senate Bill 332. I wish to nonconcur with House Amendment No. 1 and send a message to the House.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Perhaps we should just go right down the Calendar. Senator DeAngelis.

SENATOR DeANGELIS:

Yes, Mr. President, on Senate Bill 949...

PRESIDING OFFICER: (SENATOR BRUCE)

Alright, let's just...let's start right at page 5, and we will first handle the nonconcurrences. We'll just go right down and maybe just save as much time. Senate Bill 25, Senator Lenke. If you wish to nonconcur, we are on nonconcurrences. Senate Bill 63, Senator Netsch. Senate Bill 187, Senator Demuzio. Senate...Senate Bill 197. Senate Bill 206, Senator Collins. 242, Senator Luft...or Senator Bloom. Bloom or Luft, do you wish to nonconcur? 310, Senator Vadalabene. 325, Senator Demuzio. On nonconcurrence, Senator, I think you wish to concur, do you not? Alright. 325, Senator Demuzio. Senate Bill 332, Senator Grotberg. Senator Grotberg moves to nonconcur with House Amendment No. 1 to Senate Bill 332. Discussion of that motion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with House Amendment No. 1. Senator Collins, you were off the Floor when we called Senate Bill 206. Do you

wish to nonconcur with House Amendment No. 2? Hold. 342, Senator Berman, do you wish to nonconcur? 357, Senator Marovitz, do you wish to nonconcur? 359, Senator Kustra, do you wish to nonconcur? 419, Senator Berman. Senator Berman, on 419 do you wish to nonconcur? 428, Senator Sangmeister. Senator Sangmeister on the Floor?...do you wish to nonconcur with that or concur? 428, Senator. I...the staff indicates that you wish to concur, so we'll get back to you on that one. 454, Senator Dawson. For what purpose does Senator Lemke arise?

SENATOR LEMKE:

Point of personal privilege. I'd like to introduce in the gallery the Senior Citizen Garfield Ridge in...in the 23rd Ward. I ask them to rise and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR BRUCE)

Will our guests from Garfield Ridge please rise and be recognized by the Senate. (Machine cutoff)...Senator Dawson, do you wish to nonconcur? House Bill 457, Senator Dawson. House Bill 485, Senator Marovitz, do you wish to nonconcur? Public Utilities Act, payment of delinquencies...alright. 492, Senator Rupp. 496, Senator Fawell, do you wish to nonconcur? Children and Family Services. Do you wish to nonconcur, Senator? Alright, well, we'll get back to concurrence in a moment. I...if I might have the attention of the Body, it's going to be a very long day, and if we can be alert to your bills on the Order of Secretary's Desk Concurrence, if you wish to nonconcur. We will get back to passage stage in a moment. We are on page 10 of the Calendar at Senate Bill 500. Senate Bill 504, Senator Jerome Joyce, do you wish to nonconcur? 511, Senator Darrow. 512, Senator Savickas, do you wish to nonconcur? 513, Senator Kustra. 520, Senator Lemke. 531, Senator Smith, do you wish to nonconcur? Alright. 536, Senator Collins. 547, Senator

Netsch. 568, Senator Holmberg. 571, Senator Fawell. 574, Senator Jerome Joyce, vacant lots, do you wish to nonconcur? Senate Bill 576, Senator Jerome Joyce. 582, Senator Bloom. 598, Senator Marovitz. Senator Bloom, do...do you wish to nonconcur, Senator? Senator Bloom. Alright. 599, Senator Marovitz. 607, Senator Vadalabene. Alright. 613, Senator D'Arco. Motion by...motion by Senator D'Arco on Senate Bill 613 that the Senate nonconcur with House Amendment No. 3. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with House Amendment No. 3. The Secretary shall so inform the House. 619, Senator Kustra. 620, Senator Egan. Senator Egan moves to nonconcur with House Amendment No. 3 to Senate Bill 620. On the motion, discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with House Amendment No. 3, and the Secretary shall so inform the House. 621, Senator Hall...do you...alright. 628, Senator D'Arco. 638, Senator Chew. 644, Senator Sommer, do you wish to nonconcur? 645, Senator Sommer...669, Senator Collins, high school computer requirements, do you wish to nonconcur? House...Senate Bill 673, Senator Nedza, intertrack simulcast waging, nonconcurrency? Senate Bill 678, Senator Degnan. 696, Senator Friedland, nonconcur?...709, Senator Grotberg. Humane care of animals, Senator Grotberg, do you wish to nonconcur? Alright. 719, Senator Egan. 721, Senator Geo-Karis. U.S. Cable, Inc. has requested leave to film the proceedings. They are working with Senator Geo-Karis. Is there leave? Leave is granted...726, Senator Lenke. Illinois-Michigan Canal National Corridor, do you wish to nonconcur? Alright. Just on nonconcurrency, Gentlemen. 727, Senator Jerome Joyce. 728, Senator Jeremiah Joyce. 736, Senator Marovitz. 738, Senator Vadalabene. Senator...on Senate Bill 728, Senate Bill 728, Senator Jeremiah Joyce moves to nonconcur with House Amendment No. 1 to Senate Bill 728. On the

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motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with House Amendment No. 1. Senate Bill...and the Secretary shall so inform the House. 738, Senator Vadalabene, do...alright. 749. Senator Vadalabene moves...on 749, Gentlemen and Ladies, 749, the motion is to nonconcur with House Amendment No. 1 to Senate Bill 749. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur. Senate Bill 757, Senator Mahar...Senate Bill 768, Senator D'Arco. 776, Senator Berman. Senate Bill 787, Senator Sangmeister. 794, Senator Holmberg, epinephrine...807, Senator Watson, nonconcur? 814, Senator Weaver. 824, Senator Jeremiah Joyce, classification of real property and homestead exemption. House Amendment...or Senate Bill 834, Senator Degnan. Alright, on 824 the Chair is informed that Senator Jeremiah Joyce wishes to nonconcur with House Amendment 1 to...Senate Bill 824. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with House Amendment No. 1 to Senate Bill 824, and the Secretary shall so inform the House. 852, Senator Davidson...Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

Mr. President, I made the wrong motion on 613. It...it should be a concur motion instead of a nonconcur. What do I do reconsider it or how...how do we do this?

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. If I might have the attention of the Body, on...613, on page 12 of your Calendar, we have nonconcurred and the sponsor indicates that that was the improper motion. He has now moved...we will not go to the concurrence immediately but later on in the day. The motion...move to reconsider the vote by which the Senate nonconcurred with House Amendment No. 3 to Senate Bill 613. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate

reconsiders that vote and Senator D'Arco withdraws his motion. On page 16, 859, Senator Dawson, tax liability and exemptions. 860, Senator Marovitz. 864, Senator Vadalabene, on a...alright. 866, Senator Marovitz. 882, Jerome Joyce. Alright. 883, Senator Macdonald, do you wish to nonconcur? 891, Senator Bloom. 910...910, Senator Kustra. 919, Senator Zito. Motion by Senator Zito on Senate Bill 919 that we nonconcur with House Amendments 1 and 3. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with House Amendments 1 and 3. 924, Senator Rigney, Vehicle Code reorganization, do you wish to nonconcur? 931, Senator Buzbee. 938, Senator Netsch. 942, Senator Barkhausen. 949, Senator DeAngelis. Senator DeAngelis moves to nonconcur with House Amendment 1 to Senate Bill 949. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur. 951, Senator Schuneman, do you wish to nonconcur? 962, Senator Kelly, do you wish to nonconcur? 974, Senator Davidson. 981, Senator Demuzio, do you wish to nonconcur? Waste oil and oil. Alright. We seem to be not getting many nonconcurrence. If I might have your attention, on page 17. Are there any Senators that wish to nonconcur with any bill on page 17? Any takers on page 18, Senate Bills...1002 through 1035, sponsors Zito, Holmberg, Collins, Darrow, Darrow, Vadalabene, Lechowicz, Hall, Holmberg, Egan or Demuzio? Do any of you sponsors wish to nonconcur? On page 19, Senators Savickas, Weaver, Weaver, Watson, Davidson, Kustra, Schaffer, Schuneman, Sangmeister or Jerome Joyce wish to nonconcur with any of those bills on page 19 of your Calendar? On page 20 of your Calendar, Senate sponsorship of Senate Bills 1098 through 1146 with Senator Bloom, Rock, Vadalabene, Kent, Carroll, Marovitz, Etheredge, Lemke, Schaffer, Luft and Schaffer. Any of you sponsors wish to nonconcur? Senator Vadalabene is recognized.

SENATOR VADALABENE:

No. Only that you missed Senate Bill 1078. Was that intentional?

PRESIDING OFFICER: (SENATOR BRUCE)

Oh, didn't intend to. We're calling a page at a time now, Senator, to speed up the process. 1078. Alright, on page 21, Senate Bills 1147 through 1254, Maitland, Jones, Rupp, Rupp, Bloom, Rock, Macdonald, Joyce, Joyce, Newhouse and Schaffer. Do any of you sponsors wish to nonconcur with your bills? Page 21...page 21. Page 22, sponsors are Demuzio, Weaver, Watson, Philip, Rock, Degnan, Schaffer, Rock, Holmberg, D'Arco, Vadalabene and Bruce. Any sponsors...Senator Weaver.

SENATOR WEAVER:

1263.

PRESIDING OFFICER: (SENATOR BRUCE)

On the...on...Senate Bill 1263, on page 22 of your Calendar, Senator Weaver has...moved to nonconcur with House Amendment No. 2. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with House Amendment No. 2, and the Secretary shall so inform the House. On page 23, the sponsors are Newhouse, Nedza, Maitland and Bloom. Do you sponsors wish to nonconcur? Alright. Senator Keats.

SENATOR KEATS:

Page 23.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...going to stay on concurrences for awhile rather than going to House bills. We would like to...alright, yesterday...if I might have the attention, we are now going to the Order of...of Concurrences on Senate bills with House amendments. We left off...yesterday on page 10 of your Calendar is Senate Bill 485. Yesterday, there was a mistake in the Message and Senator Sangmeister sought and

received leave on Senate Bill 428, four bills above that. We will pick up 428 and then start at 485 and go through the end of the Calendar on concurrences. Senator Sangmeister on Senate Bill 428 is recognized for the purpose of a motion.

SENATOR SANGMEISTER:

Well, thank you. I guess we got the right Message from the House this time. This is on the preliminary hearing bill, and the amendment that we didn't have, Amendment No. 1, simply states if there's delay occasioned by the defendant, of course, then the thirty-day period or the sixty-day period has to be extended. And Amendment No. 2 just makes it clear that you either go to a preliminary hearing or if, in fact, you've been before the grand jury, of course, then the preliminary hearing isn't necessary. Those are both very good amendments in my opinion, and I would at this time move that the Senate concur in House Amendments No. 1 and No. 2 to Senate Bill 428.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 428. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 428, and the bill having received the required constitutional majority is declared passed. Senate Bill 485, Senator Marovitz. Senator Marovitz is recognized...for what purpose does Senator Buzbee arise?

SENATOR BUZBEE:

Just an inquiry, Mr. President. Can we safely assume now that we can...that we can throw away yesterday's computer printout, and everything that's still on the Calendar is in today's, is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

That is correct. If I...Senator Buzbee brings a very good point. We have a new concurrence printout on your desk. It includes all bills still on the Calendar, and so you may throw away the concurrence list we had yesterday. As you know, later on in the day and then later on in the Session we start developing new lists, and so we...but this...today we were able to clear off everything and start a...this is list number one, it is pink. Yesterday's color was green, today is pink, and we will change the colors every time we get a new one, but you can remove the green one. Merry Christmas. 485, Senator Marovitz is recognized for a motion.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do concur in House Amendment No. 1 to Senate Bill 485. All it does is clarify that the arrearages in utility costs not paid shall be remitted by the receiver appointed by the court from the collected rents, and I would ask for concurrence with this agreed amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? The motion is that we concur. Is there discussion? Is there discussion? The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 485. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? (Machine cut-off)...voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. Senate Bill...the Senate does concur with House Amendment No. 1 to Senate Bill 485, and the bill having received the required constitutional majority is declared passed. Senate Bill 492, Senator Rupp. Senator Rupp is recognized for a motion.

SENATOR RUPP:

Thank you, Mr. President. I move that we concur with

Amendment No. 6 to Senate Bill 492. I also have two nonconcurs, though. Take the nonconcurs first?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, if we could take the nonconcurrences first, it will handle...then we will get to the...

SENATOR RUPP:

I'd like to move that we nonconcur in Amendments 2 and 3 to Senate Bill 492.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion by Senator Rupp is to nonconcur with House Amendments 2 and 3 to Senate Bill 492. Is there discussion of that motion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcurs with House Amendments 2 and 3. Senator Rupp is recognized.

SENATOR RUPP:

I'd like to now concur with Amendment...House Amendment No. 6 to Senate Bill 492. What this does is to add a member from each side of the aisle, both Houses, to the Insurance Laws Study Commission.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to concur with House Amendment No. 6. Discussion? Senator D'Arco.

SENATOR D'ARCO:

Senator Rupp, my readout indicates that it adds four additional members.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rupp.

SENATOR RUPP:

Yes, sir. One from each side of the aisle, each House, is four. One Republican here, one Democrat here. One Republican in the House and one...what's the other party in the House?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

I just would like to know, why do...why do you think we need four additional members?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rupp.

SENATOR RUPP:

The work of the Insurance Laws Study Commission is so challenging that we've had some additional requests for membership.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I heard that last answer, I was impressed by that. Aren't there more...new commissions added? Weren't there some new commissions added in it? Oh, I'm sorry. I...I usually hang on Senator Rupp's every word, but I missed that one I guess. You nonconcurred. Okay, thank you. I withdraw the question.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, Senator Schuneman, I...I think everyone should be apprised, and I don't want to pick on Senator Rupp's bill, but obviously we are going to concur with an amendment and this could be, in fact,...final passage if the House recedes from the House amendment, so everyone should be aware of that possibility. Senator Rupp has moved to concur with Amendment No. 6 to...House Amendment No. 6 to Senate Bill 492. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 10, none voting Present. Senate Bill...the House...the Senate does concur with House Amendment No. 6 to Senate Bill 492, and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...is not passed. The Senate concurs with House Amendment No. 6, and

the Secretary shall so inform the House. Senate Bill 496, Senator Fawell. Senator Fawell is recognized for a motion.

SENATOR FAWELL:

I would like to concur in Amendment No...House Amendment No. 1, 2 and 3. This is a DCFS bill and these are basically technical amendments that have been asked by the agency to place on this bill. One is...allows parent's fees to be assessed from the date of placement rather than the commitment of court costs...court, and authorizes...DCFS use of private agencies for collection of delinquent fees. House Amendment 2 is...assures that no client shall be refused child welfare services solely for nonpayment of parent fees. And House...Amendment No. 3 removes the Attorney General from enforcement responsibilities continuing the responsibility with state's attorneys.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Fawell, House Amendment No. 3, why are we eliminating the referral of cases for parental nonpayment...why are we taking the Attorney General out? What...that's a little more than technical. It seems to be a little more than a substantial departure from the policy that's in...in effect now.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

According...according to the department, this was at the request of the Attorney General, and it is back with the state's attorney, which is where it has been before.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? Senator Fawell has moved that the Senate concur with House Amendments 1, 2 and 3 to Senate Bill...Senator Demuzio.

SENATOR DEMUZIO:

Well, I haven't heard anything from Attorney General, maybe somebody else has. I mean, I just don't understand why we're doing that. If the sponsor can enlighten me as to why we are removing the Attorney General from...I'm not sure we want to do that. I mean, what's...what's the rationale for that, Senator?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

My...my assumption...the rationale is that he's...he's got a lot more to do besides run around trying to be a collection agency, which is really the position that this would put it...put him in.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, I have another question, just a moment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Well, if I might assist Senator Fawell, the current responsibility rests with the state's attorney, and this was being moved to the Attorney General's Office, and it could be quite cumbersome. I'm not so sure that it's not a request from the Attorney General.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Well, I'm always hesitant to insert myself into something of which I know nothing about. However, that's a rather common occurrence on this Floor, so I'll participate once again. I have had some limited experience with this in a situation...a constituent of mine where her husband was not

paying his support payments, and, in fact, the Attorney General does keep an attorney in the local Department of Public Aid Office to help in that enforcement. So, I'm not at all sure that we want to do this either, and...and I, quite frankly, would like to hear from the Attorney General before I'm asked to vote on this. It looks to me like it's a major change in...in policy.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

I will take it out of the record, but this is...has nothing to do with public aid or...or child support. This is a bill on foster care that DCSF has...puts the kids in the foster care, and it's...it's requiring parents, such as in my county, who could well afford to pay for this foster care rather than dumping it on the State. There is...there is the second amendment which says that no child will be deprived of foster care because the parents can't pay, but my feeling is, parents in my county should be paying and have been walking away from this.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Take it out of the record. Senate Bill 500. Is there leave for Senator Degnan to handle that bill? Leave is granted. Senator Degnan is recognized for a motion.

SENATOR DEGNAN:

Thank you, Mr. President. I would move to concur with House Amendment No. 1 which takes Chicago out of the bill. The bill itself pertains to the clustering of precincts and provides only one judge per precinct in a clustered precinct unless the election authority deems otherwise.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah. Well, Senator Degnan, is a clustered precinct not

a clustered precinct because it's in Chicago?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

No.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Then why are we taking Chicago out of it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

'Cause the House in its wisdom thought it didn't apply to Chicago.

PRESIDING OFFICER: (SENATOR BRUCE)

Question...the motion is to concur with House Amendment No. 1 to Senate Bill 500. On the motion, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 9, none voting Present. Senate...the Senate does concur with House Amendment No. 1 to Senate Bill 500, the bill having received the required constitutional majority is declared passed. Senate Bill 504, Senator Jerome Joyce. Senator Jerome Joyce is recognized for a motion. Water supply rate. Do you wish to do nothing? Alright. 511, Senator Darrow. Senator Darrow is recognized for a motion.

SENATOR DARROW:

I would move the Senate concur in the House amendment to Senate Bill 511. What the amendment does is provide that a teacher if elected to serve as president of a State-wide teachers' organization be granted, upon his written consent...or request, a leave of absence of up to four years.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, members of the Senate. This mandates, of course, school boards to...to grant this leave of absence. I wonder if the sponsor would respond to a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Maitland.

SENATOR MAITLAND:

Senator Darrow, explain to the Body, if you will, just what's involved with...with the leave. What...what does the board have to extend to the teacher for that period of time?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow.

SENATOR DARROW:

Well, I would assume this would pertain to one individual who would be elected on a State-wide basis to head the teachers' organization, and he would be granted a leave of absence. Not having served on a school board, I'm not that familiar with all the benefits...other than the fact that he would be able to resume his teaching position and the benefits following his service as head of the national...or the State teachers' organization.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland.

SENATOR MAITLAND:

This means, Senator Darrow, that upon completion of that term of office, the school board then would have to find a place for this teacher I would imagine?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow.

SENATOR DARROW:

That would be my understanding.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland.

SENATOR MAITLAND:

Could...how does this affect the...the pension? Does the pension time continue during this four years?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow.

SENATOR DARROW:

No, it would not.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Maitland.

SENATOR MAITLAND:

It does not?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow.

SENATOR DARROW:

No, it's my understanding it does not. It...this is similar to the legislation we have that says if a teacher is elected to the General Assembly, they are granted a leave and can go back. I know that that's happened on numerous occasions.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland.

SENATOR MAITLAND:

Well, I...I'm not totally sure of that, and I will accept that answer. I guess my concern is, I don't know how much farther we can extend this. I understand what we do for legislators who serve down here. I think when we...when we tend to move in this direction toward union leaders, it's...it's hard telling where we're going to stop, and I think the Body should address this issue today and...and defeat this amendment to concur.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow, do you wish to close?

SENATOR DARROW:

Yes, I...I would feel that we should concur with this amendment. This pertains to...will pertain to one individual, and that's the teacher who is elected to the State-wide teachers' organization. All we're doing is granting him a leave of absence so he can serve in that capacity and then return to his teaching duties. I would feel, if it was my school district, it would be somewhat of an honor and I would think the school board would be happy to have this power and this privilege to have one of their members serve in that capacity. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall...shall the Senate concur with House Amendment No. 1 to Senate Bill 511. On that question, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 12, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 511, and the bill having received the required constitutional majority is declared passed. Senator Savickas. Senator Savickas is recognized for a motion.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I move that we do concur with House Amendment No. 1 to Senate Bill 512. This amendment was put on by Representative Diana Nelson, and it states that the corporate officers of any business or enterprise defined as a small business under paragraph B, Section 3 of the Illinois Small Business Purchasing Act, as amended and employed by the corporation, may elect to withdraw themselves as individuals from the operation of this Act according to provisions of paragraph C, Section 2 of this Act. Upon election by the corporate officers to withdraw, written notice shall be provided to the commission...of...an

insurance carrier of such election to withdraw, which election shall be effective upon receipt by the insurance carrier of such written notice. A corporate officer who thereafter elects to resume coverage under the Act as an individual shall provide written notice of such election to the commission and insurance carrier, which election shall be effective upon receipt by the insurance carrier of such written notice. I would move to adopt...to concur with House Amendment No. 1 to Senate Bill 512.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to concur. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

I tried to pay attention to what you said, and...and as I heard the explanation, if a corporate officer wants to opt out of coverage under worker's compensation, that under this bill, he need merely give written notice to both the insurance carrier and the industrial commission, and that if he later at some time wants to opt back in, he need simply repeat the process, is that...is that a correct understanding, Senator?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Savickas.

SENATOR SAVICKAS:

That would be my understanding of the amendment. The bill itself was very simple. It allowed the corporate officer...this is for a small ma and pa businesses where they own a grocery store, a tavern or some small business where both the husband and wife or the children work in the business. It would allow them to withdraw from participating in the Workmen's Compensation Act...Representative Nelson's amend-

ment seems to add a detailed...detailed way of doing this and getting back in. I personally see nothing wrong with the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

No, in fact, I think the amendment really strengthens the bill, Senator, and I think that this is a workable thing now, and it's the right thing to do, and I'd urge support of it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Berman.

END OF REEL

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REEL #2

SENATOR BERMAN:

The definition of small business that I think it is, we're talking about companies that have up to fifty employees and four million dollars of sales. If they opt out of workmen's comp., what happens to the fifty employees? As part of my question, what's the position of labor on this? They support this amendment?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Savickas.

SENATOR SAVICKAS:

I have no idea if labor supports it. Senator, you may be right...I...this is news to me. The...the purpose of this bill originally and at this point is to allow those people that have their own personal business, ma and pa stores where the husband and wife and maybe the children working in the business to be able to elect to withdraw from paying the workmen's compensation insurance, because the theory behind that is that they never use it, they never collect, they...when they take a day off it affects their own income. I've been informed by our staff that it's only individuals and not full companies that could elect to withdraw.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 512. On the motion, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. (Machine cutoff)...all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 512, and the bill having received the required constitutional majority

is declared passed. Senate Bill 513, Senator Kustra. Senator Kustra is recognized for a motion.

SENATOR KUSTRA:

Thank you, Mr. President. I would like to nonconcur on three of these amendments and concur on one. So I would move that the Senate nonconcur on House Amendments 2, 3 and 6.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that the Senate nonconcur with House Amendments 2, 3 and 6 to Senate Bill 513. On that motion, is there discussion? Those in favor say Aye. Opposed Nay. The Ayes have it and the Senate nonconcur with House Amendments 2, 3 and 6 to Senate Bill 513. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Then on final action for House Amendment No. 5, I would move that we concur. The bill itself authorized joint building programs for residential facilities and it authorized school districts to provide for these. The amendment which was adopted in the House was adopted at the request of the Child Care Association. It deletes the requirement that the joint building agreements be approved by the advisory council on the education of handicapped children and instead places in the hands of the State superintendent the authority to approve or deny the proposal. It also provides that any establishment of a residential facility under the bill shall use the existing State and private facilities whenever possible. I would move for concurrence.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator Kustra has moved to concur with House Amendment No. 5 to Senate Bill 513. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, 1 voting Present. And the Senate does concur with House Amendment No.

6...with...with 5...House Amendment No. 5 to Senate Bill 513. The Secretary shall so inform the House. Senate Bill 520, Senator Lemke. Senate Bill 531, Senator Smith. Senator Smith. Senator Smith is recognized for a motion.

SENATOR SMITH:

Thank you, Mr. President. I vote that the Senate do concur with this amendment. Senate Bill 531 merely...this...amendment simply changes the schedule for the incremental increases to take effect. It changes the effective date from the immediate to January 1st, 1984 delaying the increases accordingly. And I move for its passage.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to concur with House Amendment No. 1. Discussion? Senator Keats.

SENATOR KEATS:

We've debated the bill so I don't rise to debate it, but this is the minimum wage increase. I let all the Republicans know it only passed with 32 Aye votes the first time. I don't intend to debate it, I just want to make sure everybody knows which it is.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 531. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 16, 2 voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 531, and the bill having received the required constitutional majority is declared passed. Senate Bill 547, Senator Netsch. Senator Netsch is recognized for a motion.

SENATOR NETSCH:

Thank you, Mr. President. I would move to concur in

House Amendments 1 and 2 to Senate Bill 547. The bill is...is one which redefined and clarified the status of the Illinois Industrial Development Authority as a State agency. The amendments placed on by the House allowed the money that had already been obtained by IIDA, the Illinois Industrial Development Authority, prior to June 30th, 1983 to remain in their own treasury. From that point forward, all their funds, because it is clear they are a State agency, would have to be deposited in the State Treasury although they're still protected. The second amendment would reaffirm that the debt issued by the Illinois Industrial Development Authority does not...or that any of the amendments being made in this Act would not affect the status of bonds already issued by the Illinois Industrial Development Authority. The...they are of course not State obligations, they are revenue bonds. This confirms, reaffirms, protects and restates that which has already been stated many times but the agency wanted it once again. I would move the adoption of...no, I'm sorry, I would move that the Senate concur in House Amendments 1 and 2 to Senate Bill 547.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. A question, Senator Netsch. Senator Netsch, does this resolve the problem that the Auditor General had and also maintain the revolving fund nature of IIDA in their authorization?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

I'm...my assumption is that it does, Senator Weaver. My message from the Legislative Audit Commission which of course works with the Auditor General on these bills, and this is a Legislative Audit Commission bill, says that the amendment

was requested by IIDA as a result of an audit exception. And so I...it is my understanding that it...it responds to that audit exception.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Netsch has moved that the Senate concur with House Amendments 1 and 2 to Senate Bill 547. Those in favor vote Aye. Those opposed vote Nay. The voting is open. (Machine cut-off)...voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays...57...the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 547 and the bill having received the required constitutional majority is declared passed. 568, Senator Holmberg. Senator Holmberg is recognized for a motion.

SENATOR HOLMBERG:

I wish to concur with this amendment. This is exactly the amendment we put on and passed out of here which exempts those handicapped...adult children who are already on public aid.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 568. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 2, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 568, and the bill having received the required constitutional majority is declared passed. Senate Bill 571, Senator Fawell. Senator Fawell is recognized for a motion.

SENATOR FAWELL:

I would like to concur with...

PRESIDING OFFICER: (SENATOR BRUCE)

I just want you...Senator Fawell, we...our leprechaun is back, and as we clear the board of the prior bill's vote, it is now turning off your microphone so it is not intentional on anybody's part. As soon as we...know...know that we can turn your microphone back on. We have never been able to find him but he is in there somewhere. Senator Fawell.

SENATOR FAWELL:

Okay. I...I would like to concur with the amendment...it's a technical amendment. There was some language accidentally underlined. It is a new Act and so there should be absolutely no underlining at all in the Act.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 571. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 571, and the bill having received the required constitutional majority is declared passed. Senate Bill 574, Senator Jerome Joyce. Read the bill, Mr. Secretary, please. Oh, Senator Jerome Joyce.

SENATOR JEROME JOYCE:

I'm sorry. Thank you, Mr. President. Amendment No. 1 exempts the provisions of the bill from the State Mandate's Act. What this is, is the...it provides that the platting and subdivision of lands after January 1, 1978 not be...increased even...even though they put sidewalks and streets and curbs and gutters until the property is sold. It is...the amendment is fine, it just exempts it from the State Mandate's Act.

PRESIDING OFFICER: (SENATOR BRUCE)

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Discussion? Discussion? The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 574. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 574, and the bill having received the required constitutional majority is declared passed. Senate Bill 576, Senator Jerome Joyce. You are recognized for a motion.

SENATOR JEROME JOYCE:

Yes, it's the...it creates a Veterinary Examining and Disciplinary Board. It was what the R and E wanted on the Veterinary Medicine and Surgery Practice Act. I would move to concur.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to concur. Discussion? The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 576. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, 1 voting Present. Senate Bill 576...the Senate does concur with House Amendment No. 1 to Senate Bill 576, and the bill having received the required constitutional majority is declared passed. Senate Bill 582, Senator Bloom. Is Senator Bloom on the Floor? Senator Bloom. 598, Senator Marovitz. 599, Senator Marovitz. Oh, Senator Marovitz, I did not see you. Senator Marovitz is recognized for a motion on...Senate Bill 598.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. I would move that the Senate do concur in House Amendment No. 1 to Senate Bill 598. It makes no substantive changes at all, only some technical changes in the language

that were incorrect in the Senate amendments, and I would move for the concurrence of House Amendment No. 1 to Senate Bill 598.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 598. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 598, and the bill having received the required constitutional majority is declared passed. For what purpose...Senator Jeremiah Joyce arise?

SENATOR JEREMIAH JOYCE:

Inquiry of the Chair. Mr. President, these notes that were handed out in caucus yesterday on the Daniels Program, shall we keep studying them or would it be all right to throw them away?

PRESIDING OFFICER: (SENATOR BRUCE)

There'll be word on that later today I'm sure. Just...just keep them, they may be a great souvenir. Senate...Senate Bill 599, Senator Marovitz, you are recognized for a motion.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do concur in House Amendment No. 1...1 and 3 to Senate Bill 599. They authorize the State Fire Marshal to take funds that are already in existence and...and grant them to fire protection...districts for the purpose of purchasing fire protection equipment, and I would move that we do concur in this...these two House amendments to Senate Bill 599.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Will the sponsor yield for a question or two?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield.

SENATOR MAHAR:

Senator Marovitz, this looks like a familiar bill of the past that seemed to fail. There's a question of cost, number one. And number two, a question of the State Fire Marshal being able to administer this. Can you answer that?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Yes, I spoke to the State Fire Marshal this morning. He and the people from his office came to me and they said that they desperately wanted this. The funds were already in existence, that there was no new expenditure of State funds but they wanted the authorization to make these grants to fire protection districts for the purchase of fire protection equipment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Where are the funds coming from?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

It is my understanding that these are already State funds that have...that have been authorized.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Somebody over here just said Federal funds,

I...they...okay, if that's the case.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

The Federal funds amendment is in Amendment 3 and it provides specifically that no expenditure of State funds can be made from the Grant Fund for...for grants of Federal funds. So that's...we took that out.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Watson.

SENATOR WATSON:

Referring to House Amendment No. 1, this was a...amendment that was placed on a...a bill that I had here in the House and we...and we took the amendment off in the House and the...the...the amendment and the legislation that I sponsored dealt this authority to the Department of Conservation. Tell me a little about this? Is the fire marshal going to totally administer the program or exactly how is this going to be handled?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Yes, the department...the Department of Conservation has nothing to do with this, this is just the State Fire Marshal's Office.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

I have a question to the Chair then. This is final...this will be final passage then?

PRESIDING OFFICER: (SENATOR BRUCE)

That is correct.

SENATOR WATSON:

Okay. Then I'd like to speak against this.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator Watson.

SENATOR WATSON:

Well, we passed out of here legislation, I think it was 58...57 to nothing to continue the rural fire protection program to be administered by the Department of Conservation in cooperation with the fire marshal's office. This legislation went to the House and was amended in the House to...with this particular amendment, sponsored by...by Senator Marovitz, House Amendment No. 1. The...the Department of Conservation currently administers this program. It's a Federally program...Federally funded program administered by the Department of Conservation. What we did was to allow for two and a half percent of the Fire Protection Fund to come out of that...of the fire marshal's office to continue this as a State supported...State supported program. Now the fire marshal has come in and he wants this for himself. Now I see no need for this because conservation has been doing this, I believe, since the inception of the program, which is 1974. The Federal money...there's a good possibility the Federal money will dry up and therefore we wanted to continue the program with the State supported funds. The Department of Conservation has been doing this, I see no reason at all for the fire marshal's office to...to try to take this for themselves when...when we got an agency already providing the services. I think it's...it's a waste of time and money, and I would urge a No vote on this particular...Senate Bill 599.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Nedza. May we have some order, please. Senator Nedza.

SENATOR NEDZA:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield.

SENATOR NEDZA:

Senator Marovitz, perhaps you can clarify. In the amendment, the first amendment, it authorizes the State Fire Marshal to make grants to qualified fire departments of fire protection districts, et cetera, et cetera and et cetera. But in House Amendment No. 2...it eliminates the...the expenditure of any State grants or Federal grants. Could you clarify that for me, if you will, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Yeah, just to correct you. It is House Amendment 3 and it..and it says that no expenditure of State funds can be made from the fund for grants if Federal funds are available for the purpose. So we're saving the State fund if the Federal funds are available.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Nedza. Further discussion? Senator Demuzio, did you wish to comment on this? Senator Demuzio.

SENATOR DEMUZIO:

I just want to concur with Senator Watson's assessment of the bill before us and the amendments. We've done very well with the Department of Conservation's involvement, and I would rise in opposition to the concurrence of Amendments 1 and...and 2.

PRESIDING OFFICER: (SENATOR BRUCE)

Further...Senator Vadalabene.

SENATOR VADALABENE:

Yes, I also concur in what Senator Watson and Senator Demuzio says and I also rise in opposition.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Well, obviously this is a fight over turf, that's what

I'm hearing. This is a House amendment, it wasn't my idea. It's a fight over turf, it is....most of the money comes out of the Fire Insurance Premium Fund, and it is for the purpose of purchasing fire prevention equipment which obviously the State Fire Marshal's Office has the most knowledge about and most expertise in. And...this is not...not a fight over dollars, the State Fire Marshal's Office is...has a great amount of knowledge in this...I...I really see no...no serious problem with this, and I would ask for an affirmative roll call just to make sure that we can buy fire prevention equipment out of...the Fire Insurance Prevention Fund and that the State Fire Marshal's Office can do this.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate concur with House Amendments 1 and 3 to Senate Bill 599. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 14, the Nays are 38, 4 voting Present. The Senate nonconcur with House Amendments 1 and 3 to Senate Bill 599 and the Secretary shall so inform the House. Senate Bill 607, Senator Vadalabene. Senator Vadalabene is recognized for a motion. Senator Vadalabene.

SENATOR VADALABENE:

Yes, House Amendment No. 1 to Senate Bill 607. This amendment is identical to the original Senate Bill 310 that this Body passed out by a vote of 58 to 1. The amendment merely repeals a provision stating nothing in the Act prohibits a colony from abolishing the elective office of coroner. The office could still be abolished by Constitutional Article VII, paragraph 4C. This amendment removes the unneeded language and the amendment is supported by the Illinois Coroners' Association. And I concur with House Amendment No. 1 to Senate Bill 607.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall the Senate concur with House Amendment 1 to Senate Bill 607. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 2, 1 voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 607, and the bill having received the required constitutional majority is declared passed. Senate Bill 613, Senator D'Arco. Senate Bill 619, Senator Kustra. Senate Bill 621, Senator Hall. Senator Hall on the Floor? Senate Bill 628, Senator D'Arco. Senate Bill 638, Senator Chew. Senator Chew is recognized for a motion. Senator Chew.

SENATOR CHEW:

Mr. President...Mr. President, I'd move that the Senate concur in the amendment from the House. The amendment...House amendment adopts the Federal bumper standards for the vehicles of the first division weighing nine thousand pounds or less. It's a Federal standard and I would ask its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? Senator Buzbee.

SENATOR BUZBEE:

Well, I'm not in particularly enamored with the Federal standards. Those are the folks that gave us the eighty thousand pound trucks, you know, and so just because it's the Federal standards, don't necessarily make it no good bill. Now, I don't know what the standards are for vehicles of nine thousand pounds or less and their certain bumper requirements but perhaps the Senator...could explain to us.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew.

SENATOR CHEW:

This was brought to our attention by the Illinois Department of Transportation and the State police. It has here, four thousand five hundred pounds and under cross weight is twenty-four inches and four thousand five-o-one toseven thousand five hundred is twenty-seven inches. Seven thousand five hundred and one through nine thousand is twenty-eight inches, that is the Federal standard. We must adopt the Federal standard, Senator, in order to not to jeopardize the Federal funds for the highways. So, when this bill was passed, we did not have it; when it was brought to our attention, it was agreed that the House would put this amendment on and it's just a matter of compliance.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

I love that one, Charlie, you know we...we've had that one rammed to us so many times; if we don't do what the Feds tell us, we're going to lose our highway funds. I don't have any idea if you're...if you're...if your bill is a good idea or not. But I'll tell you what, I'm going to vote No and I'm going to chance losing those Federal highway funds.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Chew. The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 638. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 2, 7 voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 638, and the bill having received the required constitutional majority is declared passed. Senator Hall was off the Floor on Senate Bill 621. Is there leave to return to that bill? Leave is granted. Senator Hall is recognized on a motion on Senate Bill 621.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to concur with Senate Amendments 1 and 3 and...on Senate Bill 621. I think Senator Schaffer has some comment on Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer is recognized.

SENATOR SCHAFFER:

Mr. President and members of the Senate, I don't think there's anything wrong with Amendment No. 3, but Amendment No. 1, if we could address them separately, there are some real problems with. I suspect that this is...started out as sort of an easement bill and now we've got some language from Representative Jaffe that would extremely limit the Department of Mental Health and Developmental Disabilities of...ability to shift clients between institutions and from institutions. Put a...literally unworkable burden on the director of the Department of Mental Health and the various...facility directors. For one thing, the director would have to see that wherever the client was sent was not in violation of any Federal, State or local law, which I guess means if you sent a person from a State institution to a CLF in Highland Park, and that CLF had a...a fire extinguisher that had just recently lost part of its charge that the facility director was guilty of a crime.

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please.

SENATOR SCHAFFER:

I truly respect the House member that proposed this amendment, but he...he runs amuck on a rather regular basis, and I think he's done it again.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Hall may close.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a specialized living center and it permits the Capital Development Board to accept gifts of land to convey and sponsoring authorities who operate SLC's. Now the Amendment No. 1 was put on by Representative Pullen...Amendment No. 3, and as Senator Schaffer said, this just clarifies the understanding of what is going to be used. So, we'll take two separate roll calls and I'll...I'll call for the vote first on Amendment No. 3.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Hall, might it not be better to take one roll call on 1 and 3, or do you wish to take a roll call on 1 first?

SENATOR HALL:

Okay. Take the roll call on 1.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. All right. We're going to take...Senator Schaffer.

SENATOR SCHAPPER:

Just a matter of clarification. Amendment 3 is...is perfectly in order. I would suggest if we could...Amendment No. 1 and ask the House to recede, we could get this bill to the Governor's Desk without any further inconvenience to the Senate sponsor. So I would oppose the adoption of Amendment No. 1 but support 3.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. But the matter before the Body is Amendment No. 1. The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 621. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 29, 1 voting Present. The Senate does not concur with House Amendment No. 1. Senator Hall is recognized for a

motion.

SENATOR HALL:

I move that we...nonconcur with Amendment No. 1 and...and  
I move that we do concur with Amendment No. 3.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Now we are on Amendment No. 3 and a motion by  
Senator Hall to concur with Amendment No. 3. Discussion of  
that motion? The question is, shall the Senate concur with  
House Amendment No. 3 to Senate Bill 621. Those in favor  
vote Aye. Those opposed vote Nay. The voting is open. Have  
all voted who wish? Have all voted who wish? Take the  
record. On that question, the Ayes are 55, the Nays are  
none...56, the Nays are none, none voting Present. The  
Senate does concur with House Amendment No. 3 and the Secre-  
tary shall so inform the House. Senate Bill 628, Senator  
D'Arco. Senator D'Arco is recognized for the purpose of a  
motion.

SENATOR D'ARCO:

Thank you, Mr. President. This is...oh, okay, I'm sorry,  
here we are. Provides that the board of trustees of the pen-  
sion fund may not transfer any of the assets out of the fund  
to any governmental body without a two-thirds vote of the  
contributors of the fund. This was Senate Bill 23  
reincarnated, and I would ask for a...we concur in this House  
Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? Senator Demuzio.

SENATOR DEMUZIO:

I...I'm sorry, Mr. President, but I...I wasn't listening.  
Did I hear Senator D'Arco say he was concurring in a House  
amendment?

PRESIDING OFFICER: (SENATOR BRUCE)

Yes, his motion is to concur. Senator...

SENATOR DEMUZIO:

Well, I thought that, I...I just wanted to make sure that that's what he said.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator DeAngelis, on the motion to concur?

SENATOR DeANGELIS:

Yeah, a question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator D'Arco, this deletes everything after the enacting clause. Does this apply to all pensions?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

No, it only applies to the park district pension. Senator Joyce had the bill, Senate Bill 22, and I don't...I'm not sure which pension that applied to. I don't think it was...oh, Senator Joyce was all of them. What? All the Chicago pension systems, but this one is just the...this one is just the Chicago Park District System.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well I'm not going to hassle Senator D'Arco, but I'm not so sure that's what it does.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

Well, it...it says, "The board of trustees of a pension system established under Article XII of the Illinois Pension Code." It's my understanding that Article XII is the Article that amends the Chicago Park District Pension Code. So, you know, that would apply to the Chicago Park District Pension System only.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator D'Arco, I think you ought to take a look at the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield.

SENATOR NEWHOUSE:

Senator, I understand this bill provides for home rule preemption. Is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator D'Arco.

SENATOR D'ARCO:

That is correct.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Newhouse.

SENATOR NEWHOUSE:

That means the local body...the governing body will have no say in this whatsoever.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

That...that is true. The local body...if...if, in fact, the two-thirds vote of the contributors prevail, then the local body would not be able to transfer the assets out of the fund.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I would have to oppose this

motion based upon that explanation. I...could very well support it with the...without that home rule preemption, but with the preemption I cannot.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

Well, Mr. President, in Senate Bill 22 the park district and pension system was already included in that bill as well as all of the other pension systems in the City of Chicago. So, I mean, we've already done this once. I guess the park district wants to do it specifically under its own Article. I don't know of any opposition.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 628. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 8, 4 voting Present. Senate Bill...the Senate does concur with House Amendment No. 1 to Senate Bill 628, and the bill having received the required constitutional majority is declared passed. Senate Bill 644, Senator Sommer. Senator Sommer is recognized for a motion.

SENATOR SOMMER:

Mr. President, I move to concur in House Amendments 1, 2 and 3. This is the natural gas pipeline interconnect bill. The effect of all three amendments in...in this particular bill is one thing, and it says that the cost of the connection of the intergas pipeline...interconnection shall fall on those who will benefit by it; that is, if the utility with high rates is seeking to...to move into another pipeline, all of the cost of construction will fall upon that company.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? Senator Rigney.

SENATOR RIGNEY:

Well, we were reviewing the amendments that came back and we couldn't help but note that there seemed to be a little conflict between some of these amendments. Some of them seem to place that responsibility on those new customers. One of them, unfortunately, however, seemed to say that it couldn't be passed on to any customer. Does that mean the utility has to eat the...the cost of this?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sommer.

SENATOR SOMMER:

I don't know the answer to that, Senator Rigney.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

Well, you know, like I say, there just did seem to be a little confusion on those two amendments and the...and the form and...they almost seem to be in conflict. I don't think it's a major point. I think first of all the legislation is good and deserves to pass, but there seems to be a little confusion that I think probably the Commerce Commission itself is going to have to act as the referee here to really determine who will pay the cost of these various interconnects.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall the Senate concur with House Amendments 1, 2 and 3 to Senate Bill 644. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendments 1, 2 and 3 to Senate Bill 644, and the bill having received the required constitu-

tional majority is declared passed. For what purpose does Senator Rigney arise?

SENATOR RIGNEY:

Point of personal privilege. I'm very happy to introduce the Pearl City Hornets 4-H Club from Pearl City, Illinois in the balcony behind us.

PRESIDING OFFICER: (SENATOR BRUCE)

Will our guests from Pearl City please rise and be recognized by the Senate. Senate Bill 645, Senator Sommer. Senator Sommer is recognized for a motion.

SENATOR SOMMER:

Thank you, Mr. President. I move to concur with House Amendments 1 and 2 on this bill. The effect of them is...is twofold; first of all, this is the bill that created the joint action companies to seek out...seek out lower price gas wherever they could find it, and it also does affect the interconnect language in the first bill. The joint action provision has somewhat been changed. Under the initial bill the Commerce Commission had the authority to create, in effect, order corporations, partnerships, whatever to be formed. This bill simply allows for a loose joint cooperative effort but they have no power to order a company to be formed. Secondly, this says that when an interconnection occurs, that interconnection cannot be made to the detriment of the providing utility; that is the utility rates of the users of the cheaper gas cannot...cannot be raised by this particular...this particular interconnect, and this is the objection that we had in this House when it initially passed and the House of Representatives has placed this in...in the bill in a formal way.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 645. Those in favor vote Aye. Those opposed vote Nay. The voting

is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 645, and the bill having received required constitutional majority is declared passed. Is there leave for Senator Berman to handle Senate Bill 668? Leave is granted. Senator Berman moves to nonconcur with House Amendments 1, 2, 3 and 4. On the motion to nonconcur, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur and the Secretary shall so inform the House. Senate Bill 669, Senator Collins. Senator Collins is recognized for a motion.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I move to concur with House Amendment No. 1 on 669. The amendment changes the high school curriculum requirements in the bill in the following manners: it requires three years of English arts instead of the original four years; it adds one year may be chosen from music, art, foreign language to substitute...for vocational education; it deletes the...the provision in the bill on computer education. This amendment is...is an attempt to respond to some of the objections of those persons in vocational education which would probably be unfair, and I agree with the amendment that some of the students may not be able to complete their four years and...and requirement in...with so much math and science without being given an opportunity for vocational training and job related skills. Some students may not even wish to continue to higher education, and for that reason, I concur with the amendment. I will be happy to answer any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Further...is there discussion? Discussion? Question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 669. Those in favor vote Aye. Those opposed vote Nay.

AB 673  
concurrency

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 18, 2 voting Present. The Senate does concur with House Amendment No. 1, and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...673, Senator Nedza. Senator Nedza is recognized for a motion.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to concur with Amendment No. 1 to Senate Bill 673. The reason for the amendment was there was some question of interpretation in the original bill and there needed to be some clarifying language. The industry and the board had sponsored this clarifying language, to-wit; is that "Any organization licensee having so granted consent to one applicant shall be deemed to have granted consent to all eligible applicants." Therefore that the...it's available to the entire industry. Eliminates any...argument with...with the original bill. I would move its adoption.

PRESIDING OFFICER: (SENATOR ERUCE)

Is there discussion? Discussion? The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 673. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 2, 4 voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 673, and the bill having received the required constitutional majority is declared passed. Senate Bill 678, Senator Degnan is recognized for a motion.

SENATOR DEGNAN:

Thank you, Mr. President. I would move that we concur with House Amendment No. 1 to Senate Bill 678. 678 is the bill that requires two pieces of identification before one

can register to vote...House Amendment No. 1 strikes some language that...that conflicted with the penalty clause of Section 29-10, and I'd move to concur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall the Senate concur with House Amendment No. 1 to Senate...Senator Macdonald.

SENATOR MACDONALD:

I...I didn't quite understand the explanation, Senator Degnan, would you go through that again, please?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

House Amendment No. 1 deletes the section that provided a violation of this bill would be a Class B Misdemeanor. By removing that, we make it a Class 4 Felony, perjury, which is the law today.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Further discussion? The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 678. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment No. 1, and the bill having received the required constitutional majority is declared passed. Senate Bill 696, Senator Friedland. Senator Friedland is recognized for a motion.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I urge that the Senate concur in House Amendment 1 and 2 to Senate...Senate Bill 696. The first amendment provides...does the same thing as the original bill but in a

little less harsh way; provides that defendants who are found unfit to stand trial or not guilty by reason of insanity and are committed to the Department of Mental Health are to be placed in a secure setting unless the court determines that there's a compelling reason for an alternative placement, it was language suggested by the department. The second amendment makes a technical correction and inserts a...a missing section in the introductory clause. I urge your favorable consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Friedland, I hesitate to rise because I don't know anything about the bill. I just note that our staff analysis, which I assume that you're working from too, suggests nonconurrence "because of technical difficulties in gaps and procedures which seem to have...appeared." Do...do you have any idea what...what those are and what the potential problems are?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Friedland.

SENATOR FRIEDLAND:

No, I don't. Perhaps the staff person who has assisted me in this greatly could advise you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Friedland, I'm now informed by staff that there were apparently two analyses at two different times and the revised analysis suggests concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 696. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all

voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 696, and the bill having received the constitutional majority is declared passed. Senate Bill 709, Senator Grotberg. Senate Bill 719, Senator Egan. Senator Egan.

SENATOR EGAN:

Yes, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, go ahead, Senator.

SENATOR EGAN:

Oh, I'm sorry. Mr. President and members of the Senate, I move to concur in House Amendments 1 and 2 to Senate Bill 709. Amendment...No. 1 would require the school board to pay for any increase in the teacher's salary at the end of their long life in...in the teacher practice. You can recall that this is the result of the Caruso case where she got a tremendous amount of money to become the school board superintendent and she applied that toward her pension...which was totally objectionable. Now, the courts ruled...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, before...I'd like to interrupt. You had mentioned 709, we want the record to show that you are on 719.

SENATOR EGAN:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Okay.

SENATOR EGAN:

Thank you, that's what the Calendar says. All right. In any event, this would force the school board to pay the pension costs in the future. I know of no opposition to it. And Amendment No. 2 is the early retirement for the Chicago school teachers. I...it is now designed so that ninety per-

cent of the cost is payable by the teachers themselves, and I think it's considerably watered down any opposition. As a matter of fact, the downstate teachers have it and I...I really know of no opposition. And I move concurrence in both House Amendments No. 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Senator Egan. For those of us who have and have long had deep concerns about early retirement programs, would you describe in more detail the financial implications of that section?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Egan.

SENATOR EGAN:

Yes, this allows...as it does now for retirement at age fifty-five without...this allows for that retirement without penalty, but the teacher has to pay in thirty-five percent of their most recent...annual salary which amounts to about ninety percent of the total cost. It is a provision that is...now within the downstate teachers' article and we're asking for the same provision in Chicago.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Have the...or I guess, has the school board approved of this or signed off on it or neutral or what is their position, if you would please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Egan.

SENATOR EGAN:

Yes, they have, as has any opposition from the city, so I...that's why I say, I...I really don't know of any opposition.

SB 721  
concurance

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 719. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 1 voting Present. Senate Bill 719...the Senate...the Senate does concur in House Amendments 1 and 2 to Senate Bill 719, and the bill having received the required constitutional majority is declared passed. Senate Bill 721, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies...and Gentlemen of the Senate, the amendment put on by the House at the request of Representative Dan Pierce is a technical amendment and it amends...Senate Bill 721 on page 4 by deleting line 35 and on page 5 by deleting line 1 and inserting the following: "not later than twenty-three years from the date of the ordinance approving the redevelopment of the project area." I move its...for its favorable passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Discussion? If not, the question is shall the...shall the Senate concur in House Amendment...I'm sorry, Senator Lechowicz.

SENATOR LECHOWICZ:

Will the sponsor...thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's why you have...Senator, you've got...the light. Get it on right away.

SENATOR LECHOWICZ:

Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Try the next mike, evidently that's not working.

SENATOR LECHOWICZ:

JB 726  
nonconcurrent

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR LECHOWICZ:

What's the provision? Why are we changing the number of years? It says provided the refunding obligation shall mature no later than twenty-three years from the date of ordinance approved in the redevelopment project area.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

This is to make it consistent with the terms of the Tax Increment Financing Act, Senator. This...this makes it and this was also approved, by the way, by Chapman and Cutler.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 721. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 721, and the bill having received the required constitutional majority is declared passed. Senate Bill 726, Senator Lenke.

SENATOR LEMKE:

Move to concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I think you'd better...which amendment do you wish to concur in?

SENATOR LEMKE:

On all the amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There's been a request for an explanation. Senator Becker wants one on each.

SENATOR LEMKE:

Each...each. Okay. Could I have the order of the amendments?

PRESIDING OFFICER: (SENATOR SAVICKAS)

It's House Amendment No. 1, 2, 3, 4 and 5. For what purpose does Senator DeAngelis arise?

SENATOR DeANGELIS:

Well, Mr. President. These are some heavy amendments and I really think it's a little...it's an affront to the process for a sponsor to move the way he did without even attempting to explain these amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Your point is well-taken. Senator Lenke.

SENATOR LEMKE:

Okay. Amendment...House Amendment No. 1 corrects technical mistakes made by the LRB. House Amendment 2 was put on by Representative Giorgi...in regards to a clarification of various rights and duties of the Rockford Civic Center. House Amendment No. 3 was the Rockford Civic Center Authority may equip and maintain municipal offices, clarifies and further restricts the Authority's power to own lease and acquire a public or private firm. This was put on after the...House Amendment 2 was put on to clarify what they meant in House Amendment No. 2. House Amendment No. 4 removes the power of eminent...domain from the Illinois Michigan Canal Civic Authority. House Amendment 3 is a...removes the eminent domain power which...it makes it specific that this Act does not give the Authority any...the intent of the Act is not to give the Authority any eminent domain powers. I don't think any of these amendments are too heavy, and I ask for their adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Can I rephrase the...the interpretation of those amendments? Amendment No. 1 is a technical amendment? It changes the membership of the board. Amendment No. 3 allows to equip the building? It also allows to buy one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz. Move to the next mike...

SENATOR LECHOWICZ:

Let's get this thing fixed, all right? Call Eddie. Mr. President, could I address this...Amendment No. 2. Let me just point out to the membership, and Aldo was absolutely correct with 1 and 3, but 2 as it...this House Amendment No. 2 was defeated in this Chamber. What this Amendment No. 2 does, it amends the Rockford Civic Center Act. It grants the Authority the power to purchase and equip convention centers and municipal buildings, provides that the contracts with entertainers, promoters and talent and all contracts, all contracts for the purchase of advertising by the authority or for the sale or lease of advertising or space may be let without advertising for bid. No bid. If you want to vote for this, go right ahead, but I encourage a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Lemke may close.

SENATOR LEMKE:

I personally think that the amendments are clarification amendments, they have the power now. What we are trying to do here is...is to pass a bill for Rockford. I have no objection to it. This is what their civic center wants, it's to run their civic center. The other amendments, Senator DeAngelis, Senate Amendment No. 1 is technical. Senate No. 3 is another technical and clarification amendment, and the other, 4 and 5, are amendments that were requested by Penny Pullen to specify that there was no eminent domain in

this...in the new authority and I think it's...as far as  
Amendment No. 2, I was told that it was a clarification  
amendment by the staff.

END OF REEL

REEL #3

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendments No. 1, 2, 3, 4 and 5 to Senate Bill 726. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 13, the Nays are 35, 1 voting Present. The Senate does not concur in House Amendments 1, 2, 3, 4 and 5 and the Secretary will so inform the House. Senate Bill 727, Senator...Joyce...Jerome Joyce. Read the bill, Mr...I mean, Senator Joyce.

SENATOR JEROME JOYCE:

I'm sorry, Mr. President. Mr. President, Amendment No...House Amendment No. 3 is a...it helps the City of Markham, and Senator Kelly could explain what that does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. House Amendment No. 3 authorizes the conveyance of a vacated Department of Transportation building which is located within my district, in the City of Markham at a 159th and Pulaski to the City of Markham for four thousand dollars. This is a rather old IDOT building and they had built a new one to replace it, and this has been available for sometime and nobody has been offering any bids. In fact, to my knowledge no one has made a bid except the City of Markham for this four thousand dollars, and by having this old building, they'd have to put a lot of money into renovate it and it's somewhat of a small town with some fifteen thousand population. I think it's a reasonable arrange-

ment and I don't see any...any problems, but I'll be glad to answer any questions if you want to know anything about it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR MAHAR:

Senator Kelly, did the Central Management Services agree on the four thousand dollar figure?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Senator Mahar, I don't know. I haven't talked to Representative Steczo to know the details of whether they have or not, but I do know that I've written a letter previously, so has Representative Steczo and so has the City of Markham...when we had made this request. I don't know whether or not they have agreed to...to go with this, but I...I'll tell you, if they don't extend it, I know there isn't going to be any...anyone coming down the line to offer very much money for this and it's right in...it's perfect for their...for their purposes because it's on a main intersection and they've got a...quite a bit of equipment and this would be ideal for that, and I...I think this is not a...I don't know, Senator Mahar.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Well, I certainly agree that the building has been sitting there vacant for a number of years and it ought to go to somebody, and I agree with that. My only question is it

seems to me like four thousand dollars is a rather small amount of money for that piece of property and that it probably ought to be a higher figure, principally since the appraisal was hundred and thirteen thousand dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Watson.

SENATOR WATSON:

I'd like to ask a...that was my question. What...what was it appraised at and I understand a hundred and thirteen thousand dollars?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Well, I know that the department has been trying to get a hundred thousand dollars for it for sometime and there hasn't been anybody that has even come near that, and you'll never get a hundred thousand for that building. You wouldn't give it and I wouldn't give it, and Senator Mahar certainly wouldn't give it either.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

How many...how many acres are we talking about? Is there a lot of land involved or what?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Yeah, they've offered it to the Department of Law Enforcement. Nobody...nobody wants to take it and nobody wants to even offer any...any purchase price at all for it. So, it's not, you know, anything we're trying to hide away or anything, it's...it's just an old facility. How big is it or the facility in acreage? I don't know, what is it, about one acre? A couple of acres.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Grotberg.

SENATOR GROTBORG:

Well, thank you, Mr. President and fellow members. Here we go again. Each of us in our own way has tried and failed to do what the distinguished Senator from Markham is trying to do at this moment in time. I've already had an offer of forty-five hundred dollars from one of my seatmates and one of the staff members said he'd go six, and I'm waiting for Senator Terry Bruce to speak up in his usual way and Senator Buzbee because the State is about to be done in on a hundred and thirty thousand dollar piece of property for four thousand dollars. We have all had the treatment, Senator, it's no disrespect to you at all. It just that it shouldn't fly and most of us would like to take care of each other, and those of us that have been stung by our buddies are a little sensitive to the guy that gets away with it; and I, for one, would recommend about fifty-eight red votes and let the gentleman vote for his bill and send it back, appraise it, get a simple bill to offer it for sale to private auction would get a price. You're tied up in the public body to one public body segment of surplus State property. Am I correct, Senator? Nod your head. You're still in the same...your in the...purchasing mode of one public body offering it to another public body for a fee certain, right? The next...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR GROTBORG:

...the next phase of that...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

The answer is, yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBORG:

And that is within the purchasing code of surplus property code. The next phase is to put a bill in to let DOT sell it, and let everybody bid on it, and then the taxpayers might get something out of it and that's the model that we've had to use on some of my brainchilds like you're...you're involved in and others too. Now let's just not...let's let the man be our hero with one green vote and take it back home, but the rest of us...don't deserve that kind of treatment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Zito.

SENATOR ZITO:

Sponsor yield, Mr. President?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ZITO:

Senator Kelly, how...how long has the building...when the building was first appraised, how long has it been up for sale?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

No, it's...it's been, I would say, last couple, three years it's been up for sale...has been vacated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

I just wanted to establish that point. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Kelly...Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. Just one question of the sponsor. In fairness to...to the sponsor and to everyone that's sitting here to...about being prepared to cast a vote for this. The appraisal...we're talking about an appraised valuation. Senator, could you tell us when the appraisal was...was...was made on the property and then what state of repair is the property today and then we can make a decision.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

It was between three and four years ago that this property has been appraised and the department knew they were going to vacate this. Ever since then the...the building has been deteriorating more and more and more. It's going to turn out to be a bigger cost to the State if we keep it than if we get rid of it, because it's going to cost the...I estimate...we get it's going to cost three hundred thousand dollars if we eventually have to take it down, and what's occurring out there is...I..I think we're going to lose money instead of gain. Even though you might not think a four thousand dollar figure is reasonable, it's...it's going to cost us a lot more than that if you keep it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, if I might say, I...you know, really it depends upon the eyes of the beholder of whose ox is being gored. As I recall over on the other side over there, Senator Bloom had a bill that we gave...the Department of Mental Health gave away a swimming pool and all..all the buildings that they had over there to what, the City of Galesburg for a return of a promise for some ambulance service or something like that. At least we're getting some dollars here. You know, let's get...let's get our act together. Hell, it depends upon

whose...whose ox is being gored.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Never mind.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR KELLY:

I'll just ask for your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 3 to Senate Bill 727. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have...have all voted who wish? Would you vote Senator Savickas Aye? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 21, 3 voting Present. The Senate does concur in House Amendment No. 3 to Senate Bill 727, and the bill having received the constitutional majority is declared passed. Senate Bill 736, Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do concur with House Amendments No. 1 and No. 5 to Senate Bill 736. House Amendment No. 1 emphasizes that the expenditures have to be appropriated by the General Assembly, and No. 5 brings all constitutional officers into the fray...into the purview of Senate...Senate Bill 736 so that they can receive private funds. I would ask for concurrence on these two House amendments to Senate Bill 736.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

I'm only being facetious, Senator, in asking if there's

any reason we left out the General Assembly?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Lechowicz. Is there...Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is the bill, I think, that would the Attorney General to accept gifts, and a couple of questions...well, first of all, I didn't hear what the..what the amendment did, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Let me correct you. This is the bill that when it came out of here would have allowed the Attorney General. This is the bill that when it comes back here will allow all constitutional officers to do that if the money is appropriated by the General Assembly, a commitment that I made to this Body.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

What...what do you mean accept gifts? What are we talking about here? Rugs, things like that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

We're not talking about toupees, we're talking about donations from private foundations like the Joyce Foundation, like the McArthur Foundation and other private donations.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I don't mean toupees. I mean like carpets, rugs, things like...is that in here?

SB 738  
Concur

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

No toupees in here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Well, no, this..there's nothing really wrong with this, and even if it is a rug, it has to be appropriated by the...by the both...appropriations...by both Houses; and it would be rather unique to have a House...or the Senate appropriate a rug, but there's...there's nothing really wrong with this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 5 to Senate Bill 736. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 8, none voting Present. The Senate does concur in House Amendments No. 1 and 5 to Senate Bill 736, and the bill having received the constitutional majority is declared passed. Senate Bill 738, Senator Vadalabene.

SENATOR VADALABENE:

Yes, Mr. President, I move to concur...with Senate Amendment No. 1, 2 and 4 to...to...or House Amendment 1, 2 and 4 to Senate Bill 738...Amendment No. 1 restores the Sunset provision to the year 1989 as requested by Senator Netsch; it was 1993. Amendment No. 2 extends the minimum number years that an inactive license may leave their license on an inactive status without having to take the educational courses over. Was three years, now it's five years. In Amendment No. 4 clarifies the application of real estate brokers, asso-

ciate brokers and sales persons to the recovery fund. All three amendments are supported by the Illinois Association of Realtors, and I move to concur with House Amendments 1, 2 and 4 to Senate Bill 738.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Discussion? If not, the question is, shall the Senate concur in House Amendments 1, 2 and 4 to Senate Bill 738. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendments 1, 2 and 4 to Senate Bill 738, and the bill having received the constitutional majority is declared passed. Senate Bill 757,...Senator Mahar. Senator Mahar, do you want...

SENATOR MAHAR:

Yes. Thank you, Mr. President and members of the Senate. I would move that...to concur with House Amendment No. 1 to Senate Bill 757. Basically what it does, it adds in the..prohibition of the sale of used oil unless it meets proper standards. The bill deals with the burning of used oil, and this just adds in the prohibition of the sale unless it meets those standards, and I'd ask for its adoption...ask for concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes, I...I rise in support of the adoption of the amendment. There's been a great deal of discussion about this in the House and this is all agreed to all the parties that I'm aware of, and I would rise in support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WELCH:

The synopsis that I have says, it removes the prohibition against burning any waste. Is that clarified in your amendment to say waste oil, or is this...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Yes, it does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 757. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 757, and the bill having received the constitutional majority is declared passed. Senate Bill 768, Senator D'Arco.

SENATOR D'ARCO:

Yes. Yes. Oh, I'm sorry. Thank you, Mr. President. House Amendment No. 1 allows members to combine certain types of...noncovered service to...in order to meet the twenty years of service to establish eligibility for the Noncovered Employee Retirement Formula. What this does, it chronologically lists all of those who would be able to...to apply for the alternative retirement formula plus, it adds the noncovered State air pilots to the formula; and it also makes a corresponding increase...I'm sorry, it adds the covered air pilots to the formula, the noncovered are already in the formula, and it makes a corresponding increase in their contribution rate. I don't know of any opposition. I would

ask to concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Kelly.

SENATOR KELLY:

Like to ask Senator D'Arco a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR KELLY:

John, does this bill have like twenty years...can you retire here under twenty years of service? Could that occur or is it age fifty-five, or what age are you talking about, twenty years?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

It's age fifty with twenty-five years of service or age fifty-five with twenty years of service.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

And who...who does this apply to? Who are the eligibility groups that are covered under this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

You want me to read you the whole list? There's a huge list of them, you want me to read you the whole list? What...what we're doing here is including the covered State air pilots. Now, when I use the term "covered," I mean those that participate in the social security system, so they can also participate in this retirement formula.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Well, I don't want to be a bad guy but, you know, maybe I am. I just happen to think this retirement at fifty-five is about what it ought to be and we shouldn't be going down to fifty or we'd be going to forty next, and I'm just...I'm opposed to this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall...Senator D'Arco, do you wish to close?

SENATOR D'ARCO:

Wait a minute. We're not changing the age. The age is the same. I mean, I'm not lowering the age at which a air...State air pilot can retire. The age is the same. All I'm doing is including a category of air pilot that wasn't previously included which are...which are the covered air pilots; the noncovered are already in here, so, you know, I don't see any problem with it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 768. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question...on that question, the Ayes are 47, the Nays are 4, 3 voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 768, and the bill having received the constitutional majority is declared passed. Senate Bill 776, Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move to concur in Amendment No. 1 to Senate Bill 776. This is the Senior Citizen's Real Estate Deferral Act. The amendment that was put on in the House was requested by Senator DeAngelis. It says that after eighty percent equity of the taxpayer has been reached, any additional accrued interest must be paid by the taxpayer. I move the concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ETHEREDGE:

Senator, does the amendment provide any language that would put a cap on the State's liability for funding this program?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

No, that was provided in the House...in the Senate amendments, Amendment No. 2 was adopted in the...before the bill left the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

A...my review of...of Senate Amendment No. 2 indicates that there is no cap at all. In...in fact, if I could just quote the language of...that is contained within that amendment, it says that "additional funds as may be necessary may be appropriated from the General Revenue Fund." So, there...there...there is no cap in...in the Senate amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

The cap is set by the General Assembly. We will review it and determine whether we want to fund it or not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge:

SENATOR ETHEREDGE:

My recollection of the debate on this bill when it was

first before us last June was that an understanding was reached that went somewhat as followed, and I think we can...we can check the record to...to verify my recollection, but it seems to me the understanding when this bill left this House was that it would be amended on the other side of the...the Rotunda to include a cap on that...put a cap on the State's obligation; and beyond that, there was additional discussion which encouraged the investigation of the possibility of...funding this program through private sources, but I see nothing in the language of this House amendment that would do either of those things and, therefore, I have to rise in...in opposition to...to the bill. As I indicated in earlier debate, I think the concept is a good one but not as it is before us today; therefore, I would recommend a No vote on this bill, and then let us draft another bill with new language and at a...for consideration of at a later time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR WELCH:

How do you determine the equity interest of a homeowner from time to time? Do you have to take an appraisal every year to determine the value of the property and subtract how much is owed? At what point do you determine equity and who does that determination and who pays for the determination?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

The definition of equity interest is spelled out on lines 25 through 32 of page 1 of the bill. If you'd like I'll be glad to read it to you. In addition, every year that you are

seeking to qualify for the deferral, you must enter into a contract with the county treasurer. They have the forms and the senior citizen will enter into that agreement with them. The...the definition is the assessed valuation times the factor that is used. In Cook County, for example, you would take the assessed valuation multiply it by approximately seven because they use a sixteen percent factor. That would be the measure of fair...of full market value less any outstanding liens. Now as you well know, generally that is a figure less than "full market value," so the State is certainly well protected as far as any exposure for...under this plan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question...Senator Berman.

SENATOR BERMAN:

Yes, if I may close, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You may.

SENATOR BERMAN:

Ladies and Gentlemen, considering some of our action the past few days, this bill is more important today than it was when we considered it earlier in June. This is the senior citizen's tax deferral plan. This allows senior citizens who have an income of less than ten thousand dollars a year to defer the payment of real estate taxes on their homes until either the house is sold or that taxpayer passes away. This is a crucial bill, I believe, in light of some of the impending real estate tax increases that may come about, certainly by legislation we have passed, and in downstate, by a lack of adequate funding for our schools. Real estate taxes are probably going to go up. It's more important than ever to vote Aye on this bill. I urge your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 776. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 9, 1 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 776, and the bill having received the constitutional majority is declared passed. Senate Bill 787, Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. If you recall, this was the so-called war of the charities between United Way and Cancer Society and the Heart Association and all the other voluntary health agencies. I'm very pleased and I want to thank the people on the Floor that helped support that bill over here because it went over to the House, they all sat down like gentlemen and gentlewomen and they worked out an amendment with the Comptroller's Office that everybody can live with. Everybody is now on this and, therefore, I move that the Senate concur in House amendment to Senate Bill No. 787.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is,...is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 787. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 787, and the bill having received the constitutional majority is declared passed. Senate Bill 794, Senator Holmberg.

SENATOR HOLMBERG:

I vote to...or I ask that we concur with the House amendment. It simply...this is the Epinephrine Insect Bite Sting

Act, and it simply adds the word "registered" before the word nurses when it's talking about who shall teach the course.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Is there discussion? If not, the question is, shall the House...Senate concur with House Amendment No. 1 to Senate Bill 794. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, 1...none voting Present. The Senate does concur in House Amendment No. 1, and the bill having received the constitutional majority is declared passed. House Bill 796, Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. The amendment from the House allows the counties to change the Plat Act to...to say that nothing would prevent or preclude an individual county from establishing a standard or ordinance which is less than five acres. The plat requires a five acres...the Illinois Plat Act but...but less...but not less than two acres for supplemental requirements from the Illinois registered land surveyor's and platting thereof. Ask for a concurrence in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Discussion? If not, the question is, shall the Senate concur in House Amendment No...I'm...Senator Lechowicz, your light.

SENATOR LECHOWICZ:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR LECHOWICZ:

Now this is for utility and community antenna television systems?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

That is correct. We have presently passed out of here this...the...that in platted areas in which there is a platted right-of-way for public service utilities, that right-of-way would include television antenna systems. They have added an amendment on the other side that says that when there is a subdivision, that you can...if the county wishes, they can have the additional authority to...not requiring platting at five acres but divided into less...something less than five but more than two acres.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I speak in favor of the concurrence because the other part of that gives the right to the...individual counties to establish standards, ordinances or specifications, and this was not in the original bill that we sponsored, so I vote for favorable...favorable passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 796. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 796, and the bill having received the constitutional majority is declared passed. Senate Bill 800, Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. This bill left here and has been debated by this...Body for some twelve years on whether

or not the State of Illinois ought to start a grain insurance program for the largest single industry in the State of Illinois. The House has sent the bill back in substantially amended form but also with entire agreement among the agricultural community; the Attorney General, the Speaker of the House, the Governor has been involved in the discussions. They have sent us back a...a product, I believe, in the meetings that I have attended that will be acceptable to this Body by creating the Illinois Grain Insurance Corporation which has a five-member board composed of the director of the Department of Agriculture, the Attorney General, a designee of the State Treasurer, the director of the Department of Insurance and the chief fiscal officer of the department. They, in fact, will be running the entire program for the State of Illinois. It will require that every grain dealer and grain warehouseman in the State of Illinois be licensed under this Act. We have had a problem that has gone on for several years on what to do with the Federally licensed grain warehouses in the State of Illinois, and the final conclusion was that we didn't know what to do with them but we would leave it to the board to develop cooperative agreements with those Federally licensed warehouses, and if they wish to participate in the program that they could. We set forth a fee that's based upon the present existing surety bond, and then in addition to that, made a levy against every grain dealer and grain warehouseman in the State of Illinois, a thousand dollars for grain dealers and a sliding schedule for grain warehousemen. So that the fees...so that the...the original fund would be amply provided for quickly, those initial fees are twice the amount for the first year and then go back to the...the fee schedule set forth. Then if there is a recovery against the...the fund, there would be a rate of one-half of those fees. There was a great deal of discussion both in this Body and in the House about the funds that were to be

provided, really, by farmers in the State of Illinois through a levy against grain dealers and warehousemen that this money not be used for any other purpose in the State of Illinois; and in Section 6, we make clear that all fees assessed under this Act go into a trust fund and those monies shall not be available for any purpose other than the payment of claims pursuant to this...this Act, and if for any reason, any portion of this Act is declared invalid, then this provision is nonseverable from it. It requires us to appropriate additional monies above the amount that we had set forth and then be...reimbursed for those amounts of money once the fees are assessed and come back in. The claims are handled for grain dealers. We have a two-tier system for those people who deal with grain dealers. They shall be compensated at eighty-five percent of a claim up to a hundred thousand dollars. For those who are dealing with grain warehousemen, and they have very much higher standards, those people would be compensated up to one hundred percent of a valid claim. The bill sets forth the powers and duties of the Act, says that anyone who has complied with the requirements of licensing under this Act also meet the requirements of licensing under the...under the current Grain Dealer Licensing and Grain Warehousemens Act of the State of Illinois. The bill in its present form has the endorsement of the Governor through the Department of Agriculture...a letter has been distributed signed by that department asking for the signature from the Governor. The Attorney General has worked with and met with the Governor. He indicates that this bill meets with his approval, the Illinois Farmers Union, the Illinois Farm Bureau, the Feed and Grain Warehousemen, I believe that every agricultural, organized group in the State of Illinois has signed onto this, and I believe that for a...I have worked on this problem since 1971 when a grain elevator failed in my district, and Senator Buzbee has had the bill, I think that just about

everyone has worked on it. Senator Rigney ought to be recognized for a person who has spent more hours than I have in meetings with grain and feed people in working out compromises; the Attorney General also has worked very hard, and I would ask for your favorable vote and concurrence in House Amendments 1 and 4.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President and Ladies and Gentlemen of the Senate, without question, this is the single most important agricultural bill in this Session of the General Assembly. We know that grain elevator failures have been a rather significant problem throughout Illinois. I think it's rather interesting to note that Senator...Secretary John Block, in his earlier farming days, was once the victim of an elevator failure up in his home county. Let's get up-front about this, the present system of recovery simply is not working. It's inadequate in the industry, and I'd like to tell you why, because I consider myself to be one of the old capitalists around here that likes to leave things to private enterprise whenever possible, and now I'm supporting a fund that's going to be State-wide and under the control of the Department of Agriculture and...and kind of maybe violate some of those principles, but I think we've got to understand what the problem is with our present bonding program. A grain dealer in the State of Illinois must have a bond somewhere between twenty-five thousand and a hundred thousand dollars, and when a failure takes place, unfortunately, bonds of that size are simply inadequate to be able to pay off those farmers who have delivered grain to those various elevators. Statistically, it works this way, there are about fifteen hundred grain dealers in the State of Illinois, only about five of those fifteen hundred will fail in most any

year. So what it means is that there is only one out of about three hundred that will actually go down the tube in any given year. Another way to say that is that if you depend upon a bonding system in two hundred and ninety-nine out of every three hundred cases, the money is wasted. It's in the pockets of the bonding companies and it's not paying off farmer claims. The result is that the grain industry that must pay for these bonds has to ante up about a million and a half dollars every year to buy their elevator bonds. The amount collected by the farmers of the State of Illinois, by contrast, amounts to something less than three hundred thousand dollars. So the money is not getting where it should be going to help those who have truly suffered losses within the industry. Now what is required under this legislation is that those grain dealers that have been purchasing those bonds through the years will continue to pay a like amount of money into this new corporation, and as Senator Bruce told you, this money will be held outside of the Treasury of the State of Illinois. It will be held in a separate corporation that will not be subject to any tampering on the part of the General Assembly. It will be there for the sole purpose of paying off those kind of claims, and so this like amount of bond money will go directly into that corporation and be there to actually help those farmers who have suffered these kind of losses. When the fund reaches three million dollars after the first three years, as long as that fund stays in excess of three million dollars, our friends in the grain industry will no longer have to make any contribution, because if we can keep the fund above three million dollars, it should be adequate to carry itself without any further problem. I certainly do applaud all of the work that went on over on the other side of the Rotunda and particularly the Department of Agriculture and the Attorney General and all of those people that worked so hard this time to bring this

legislation about. It'll be the first of its kind anywhere in the nation, but I will stand here today and predict that Illinois is going to make this system work and I truly think that other states will be following our lead in years to come.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I have an inquiry of the Chair. My inquiry, sir, is in reference to Senate Bill 800 and Amendment No. 1...House Amendment No. 1 which provides that the General Assembly shall appropriate funds necessary to pay, approve claims beyond amounts existing in the fund and provides that if the General Assembly fails to do so, the Act shall serve as an irrevocable and continuing appropriation. My inquiry of the Chair is whether we, in this Session of the General Assembly, can encumber future General Assemblies in the payment of these type of funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, we'll check that and get right back to you. Further discussion? Senator Bruce.

SENATOR BRUCE:

Well, just to help the Chair, that language was added by...by me and it was right out of...if my memory served me, right out of an Act we passed here in 1971 and that Act was challenged in People versus Richard V. Ogilvie which says the language is identical and the Supreme Court ruled that that was appropriate. So, I don't know how you want to rule but the Supreme Courts acted on that. Ted, it's...Senator Lechowicz, it's...it's identical language to the bonding funds that we have for both the transportation and capital development construction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I don't believe this is bond money, is it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

And...and neither are our appropriations to...to retire the bonds and interest. It's the same situation and...and by the way, it...it does require in this Act that we assess every grain dealer in the State to make reimbursement to the State of Illinois, so we're covered.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, my only point, Mr. President, I don't...I'm not questioning the purpose of the Act, I think it's an excellent bill. My question, and I'd like to have a ruling, if I may, is that how can we encumber future General Assemblies? You're not saying "may" you say "shall." Okay? "Shall appropriate funds necessary...necessary to pay approved claims beyond the amounts existing in the fund and provides that if the General Assembly fails to do so, the Act shall serve as an irrevocable and continuing appropriation." I don't believe you can do that, but I could be wrong.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lechowicz, we'll get back to you with your...with a ruling. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. Along the same line, I'd like to ask the sponsor a similar question. In fact, I had the same sentence underlined and I was going to make an inquiry but not the same one Senator Lechowicz made. Senator Bruce, what I want to know is, just as Senator Lechowicz had read off, it provides the General Assembly shall appropriate funds necessary to pay approved claims beyond amounts existing in

the fund. Are these dollars that are from the...the grain dealers trust fund or are these dollars that the General Assembly is going to be benevolent and provide to the failures?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Absolutely, these funds are trust funds. Under this Act, we create a three million dollar fund. The largest single loss in any one year in recent history has been one million dollars. We took three times that assuming that that would be enough insurance that the fund would not have any problems. The interest should run around three hundred thousand dollars and so we should be picking up the fund all along. If, however, Senator Kelly, there was a loss in a single year of grain dealers where the loss exceeded three million dollars, the State of Illinois would make a loan to the fund. We would appropriate the fund money and then, under this Act, if you'll read the last sentence, they must make the assessment against every grain dealer in the State of Illinois to replenish the fund that year. So, it's a loan, not...not a payment out of the State Treasury.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. I guess no one has stood before this Chamber in the past and opposed this effort any more than I have. I have had concerns...great concerns about the involvement of the State in this particular situation. In addition, back before I came to the General Assembly, I fought these efforts as a leader in a farm organization, but I believe that this particular bill in its amended form comes as close to addressing the problems as we see them and, therefore, have...and do

intend to support the bill. I do have the same problems, the same philosophical concerns that many, especially on this side of the aisle, have but I'm cognizant of the hours of time that have gone into this particular...piece of legislation by all farm organizations, by the grain dealers, by Senator Rigney, Senator Bruce, the House members, and I think the Body should pass this bill out of here and give it a chance to work. A lot of effort has been put forward in it, and I think it's a good bill now as good as we can possibly get, and I urge its support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. One of the things that bothers me about this, it is an excellent purpose and a commendable job done, but what we are actually doing here is putting the State of Illinois in a business. I think that's contrary to perhaps the...the feelings and the thoughts that many of the...I've heard many of the men and ladies here explain...and talk about on this Floor. One of the things that puzzles me too is why...I don't think there's any doubt in the world...no doubt that this is an insurance proposition. Everybody else has been saying that on this Floor. It's an insurance question. Yet this bill was not assigned to the Insurance Committee, it was assigned to the Agricultural Committee. Can you imagine the noise we'd be hearing right now if our Insurance Committee was...coming up with some ideas about how to run a farm? People would be laughing at us. I think this bill should have been put...I cannot see that...I don't feel that Senator Lechowicz has been answered properly. We are responsible for unpaid losses under this particular bill. I don't see how or why...even if there is a legal opinion, I don't see why we here should agree to handle any losses which might come up in the foreseeable

future...unforeseeable future. I would like to ask that this bill and the sponsor put the bill back and let it run through the Insurance Committee. I think they perhaps were a little bit afraid. I don't think we have horns or anything, and I think that we perhaps might have been able to help them a little bit. I do ask that this be reviewed in that manner, however, because I do feel that the bill was incorrectly assigned to the Agricultural...Committee in the first place.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I...I rise in support of this also, notwithstanding, Senator Rupp. I...I suppose if we put it in the Insurance Committee, we would have probably had an insurance company doing this. It is Illinois' number one enterprise, agriculture is. We do darn little in this General Assembly for agriculture. Soil conservation is...it's miniscule the amount of money that we put up to keep our topsoil here. It is...this is one thing...the Federal Government insures money in banks and let me tell you, ladies and gentlemen, this is money in the bank for Illinois farmers' and for the State of Illinois. I think that this is something that...that we...we need, it's...all of the farm organizations agree on it, the...the General Assembly ought to do this. We ought to just make sure that we can keep things going as...as...as we can and we have tightened up in many, many areas...we have tightened up where any possible loss to elevators will come about. So, in...in the past we've had some elevator failures but there's...there's plenty of legislation on the books to...to tighten that up now, so I don't think there's going to be any loss but...but this is just one way that we can help Illinois agriculture, our number one industry.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I certainly respect the last speaker but, Senator Joyce, to stand on the Floor of the Senate and indicate that we do...little for farmers in Illinois is really laughable. I depend absolutely on farmers and we all do in this State and...they're the most important industry we've got, and we recognize that, we do all kinds of wonderful things for them. One of the things that bothers me about this, I don't think there was ever a hearing on this bill in its current form. As I...as I see what happened, it went to the Agriculture Committee in the House, they passed out something, and then there was a House amendment adopted, which I understand was adopted at sometime Monday night, and you can correct me on this because I'm...I'm not sure about this, but I think it was one of those late night adoptions and I...it's interesting that the Farm Bureau supports this. I wonder what their position would be...you know, Farm Bureau doesn't write...their insurance company doesn't write surety bonds. I wonder what their position would be if you decided, Senator Bruce, to set up an automobile insurance fund and put the State into the automobile insurance business. I wonder what the position of the Farm Bureau would be on that one? I think you know the answer to that. My biggest argument about this...well, first of all, I guess I'd like to ask some questions of the...of the sponsor, if I might. I haven't been able to get a copy of this amendment, so I'm really speaking in the blind. I don't know whether there's one in the Senate or not, but I haven't been able to get one. The fee...the fee that would be paid by grain dealers...I looked at another member's copy of this amendment and it said something about a fee schedule, and as you know, I was concerned about this when the bill was here before because there are some grain dealers in...in this State, the...the best grain

dealers, are paying very low fees for the bonds now. They're only paying like two hundred and fifty dollars a year, and I'm curious to know what you're doing with the fees.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Senator Schuneman, the fee schedule is almost identical to what they are currently paying. There's a one-time assessment fee and...and that is doubled and if the...if the fund goes below three million dollars, we go back at half that rate, but basically we were talking about their surety bond schedule presently. There is no increase to a grain dealer except for they came back to us and said, double the fees the first year so that we get the fund created, and we went along with that. That was their request.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the Champaign News-Gazette requests permission to photograph in the Senate Chamber. Is leave granted? Leave is granted. Senator Schuneman.

SENATOR SCHUNEMAN:

On the fee question, are you...are you talking about grain dealers collectively or individually? The way it works now is the very poorest...the very poorest risk pays a very large premium because he has a heck of a time getting a bond, and...and many times bonding companies looking at his financial statement and his operation decide that...that he's not worthy of their guarantee. Just like a bank might decide that he's not worthy of credit and so the bonding companies oftentimes will charge...well, first of all the penalty is higher on those people, they may charge a higher rate. He may...he may find that he has to go to a higher rated company in order to get the bond. So, are you talking about individual grain dealers or are you talking them collectively?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Well, Senator, the fee schedule is based on the amount of business you do and so those people who are presently paying a high surety bond fee as assessed by the Department of Agriculture will continue to pay a high fee. Those who have paid a low fee in the past, will pay a low fee. They came to us and said that this...this schedule doesn't substantially change what each individual is presently paying.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay. I...I accept that if you're saying that...that it does not change what they are individually saying, but I'd say to you, Senator Bruce, I'd be pretty doggone careful about making that statement because I would question how in the heck they're going to do that, because in the first place the Department of Agriculture doesn't know what the bond premium is. They don't know what the bond premium is; they know what the average might be but they don't know what the individual premiums are on...and I just simply like to speak to the bill briefly. This is a problem that needs to be solved and I...I applaud those that have worked on it. I worked on this thing five or six years ago with you, Senator Bruce, but to say that this is the answer, I'm really not sure and...and the members of the General Assembly ought to know that here we have the State going into the grain insurance guarantee business. Now if it's good here for good old agriculture, then probably it's good in every other area of business. You know, it's probably good in the area of worker's compensation and everything else. So, I guess it's a question of whether...whether we're willing to help our friends or if we want to stick with some kind of philosophy around here. And I really think that there have not been

hearings on this particular issue and maybe it would be a good idea to hold it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? All right, Senator Bruce may close. Senator Lechowicz.

SENATOR LECHOWICZ:

I had an inquiry to the Chair.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes. Senator Lechowicz, under the rule set out by the people...Ogilvie versus Lewis, the language in Amendment 1 to Senate Bill 800 is not violative of the Constitution because it constructs an acceptable continuing appropriation. It is identical language that which is indicated in the Supreme Court case.

SENATOR LECHOWICZ:

Well, Mr. President, on that point and this was pointed out by the good Senator who was handling this bill, Senator Bruce, on that point in a court case that was for a bonding proposal. This is not a bonding proposal, and I'd like to have an interpretation from the Chair with that type of a distinction. You're talking about an appropriation...for an item, like a revolving fund, and you are trying to encumber future General Assemblies in making a mandatory appropriation dollar amount. Now, bonds are one thing, defaults and appropriations are another. I'd like to have the question addressed in that vein.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Lechowicz,...according to the same court case, the...it is...it says when the requirement that they...or repayment of debt be...be set forth as satisfied. It does not refer itself specifically to bonds and, therefore, the Chair determines that it is constitutional language. Senator Lechowicz.

SENATOR LECHOWICZ:

Well, let me speak from an appropriation standpoint, and I believe that many members of this General Assembly sat and are members of an appropriation process this year and previous years; and just take a look at it from your own perspective as sitting as a member of that appropriation process, when a bill would come to you mandating saying that you shall appropriate the dollar amounts even though the dollar amounts are not there. That's unusual language to me. I wouldn't have any objection to the bill except for that Section 7 which is contained in this bill, and for that reason, I'll be voting Present until it's addressed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

END OF REEL

REEL #4

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce. Senator Bruce may close.

SENATOR BRUCE:

Well, thank you, Mr. President. I'm sorry to hear Senator Lechowicz is going to vote against...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce, pardon me. We seem to have some more lights. Senator Carroll.

SENATOR CARROLL:

I'm sorry, Senator Bruce, also, Mr. President and members of the Senate. In reading over what this Act now does, I agree with Senator Lechowicz and respectfully disagree with the Chair in this sense. The opinion of the court dealt with an...a bonded indebtedness, as I heard the opinion read by the Chair, this does not. This is not a...a mandatory appropriation to cover a bond debt, but rather a...a highly unusual mandatory and obligatory appropriation to pay what would be normal operating losses. Now for example, we have a court of claims. Claims against the State are brought to that court. The court has a hearing. The court adjudicates and renders a written opinion where they give a dollar amount certain. However, that dollar amount certain does not mean the person is going to be paid because that court or no one else can bind this or future General Assemblies to make that payment; therefore, we put in legislation every year to appropriate those awards and this General Assembly can and on occasion has changed that dollar amount decided by that court. After the appropriation bill goes through the Governor's Desk and signs into law, then and only then can the award be paid. Here this makes it binding and continuing

and obligatory, and I think if that is not directly in conflict with that case, which based on your reading, I believe it to be, I think it would be senseless for a General Assembly to tie its hands and future hands, especially in just this one limited area where we do not do so anywhere else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll, the Chair would also like to point out the remainder of that section indicates that language that...the interest on the transportation bonds, which the gentleman is referring to, do not exceed the estimated available balance for that fiscal year. It refers itself directly to Article VIII as long as the total appropriation for any fiscal year does not exceed the estimated available funds for that fiscal year. Further discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. Speaker and friends in the Senate, I think perhaps we are plowing some new ground in one sense of the word here with this type of language. I recognize that, but I'm not particularly concerned about it because those that are concerned about an irrevocable and continuing appropriation only need to read the next line in that paragraph to understand that it's an obligation of the fund to pay all of that money back with future revenue. So, actually it does function more as a loan. I think one of the reasons it's necessary or why we want that particular provision in there is because earlier in the bill we provide that within ninety days the claims must be paid. One of the problems with elevator failures is that sometimes it's two or three years down the road until you get your money. It's not going to be that way with this bill. Once the claims have been filed and have been validated by the Department of Agriculture, the claims will be satisfied within ninety days. It's conceivable then that the money will not...you know, if you

had a huge failure that the money might temporarily not be in the fund, but that's a temporary situation. So, I think...I think we are, you know, making a mountain out of a molehill here over an issue that...that, frankly, I don't think is going to be that troublesome.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I would like to just read one...and this is not me, this from the analysis, "The bill left the Senate with the understanding that it would be amended and be the subject of extensive negotiations between the interested parties." I don't know when that was, but we certainly have not had extended negotiations. In fact, it hasn't even been heard...hasn't even been directed to any member, as far as I know, of the Insurance Committee. I asked that this thing be postponed to give us a chance to really look at it and I think...that I base on the fact that we thought that was part of the agreement, there would be some negotiations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, perhaps I might suggest a compromise on this. Several years ago I authored two bills that will permit self-insurance for associations and for individual people grouping together. It created a fund that was done by assessing the members. If they are going to be paid back, perhaps you might want to put in this as a compromise the ability to assess all the members for those losses till the pot builds up and then they would be paid back out of that and, hopefully, that that would not occur, but that way you take the State off the hook and you can still keep the plan going.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bruce may close.

SENATOR BRUCE:

Well, in response to Senator DeAngelis, that's exactly what the Act does. As soon as a fund drops below three million, we make an assessment. The problem is is if we had a huge loss, which I cannot see, the average loss in any year has been less than a million, and so the...perhaps I should just close, Senator DeAngelis, and we'll try to work out whatever problems this...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

You know, Senator...Senator Bruce, you can buy a bond beyond that. The fund itself can buy a bond beyond that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Thank you. I...I now understand what Senator DeAngelis...he's talking about a stop loss bond which would be a...a reasonable acquisition by the agencies since we're running about a three hundred thousand dollar surplus on this fund as it is in interest each year. I would just like to say that this fund is not going to be State money. You know, we have been talking about income taxes, we've been talking about taxes on gasoline, on liquor, on cigarettes and everything else, and this is a tax aimed directly at farmers and they want it. They have asked this Body, through their representatives, to give them a policy of insurance against loss for their single output from farms and that is grain, that they have the same protection that you and I do that when we walk into a savings and loan or a bank, that when we go back to get that grain, it's there or the money is there. Now the losses we've...we've had a lot of discussion by some of the agricultural members here about their concern about a con-

tinuing appropriation. That language is taken word-for-word out of the transportation bond issue which helped establish the RTA, and so if it's alright for the RTA, I don't understand why it's not alright for the IAA in helping farmers saying, we're going to have continuing appropriation. We've never used it for them, I don't think we'll ever use it for farmers. I would like to say about the no committee meeting. This bill has been heard by more people than I know of. We've had meetings, and I'd like to compliment the Attorney General of the State of Illinois, Neil Hartigan, who personally...who personally came to meetings and got involved in drafting the legislation. Also to Representatives and chairmen of the House Agricultural Committee, Bruce Richmond, and to the chairman of the Senate Agriculture Committee, Jerome Joyce, both of whom had confidence in these groups to put together a bill that's meaningful and to Harlan Rigney, from this Body, who has spent a great deal of time to make sure that this bill is in the appropriate form. It establishes for the first time in our history an insurance fund for the largest, single industry in the State of Illinois. We ought to protect the farmer when he takes his grain in. We ought to make sure he gets his money. I think this fund will do it, and I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Question is, shall the Senate concur in House Amendments 1 and 4 to Senate Bill 800. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 2, 2 voting Present. The Senate does concur in House Amendments 1 and 4 to House...to Senate Bill 800, and the bill having received the required constitutional majority is declared passed. 807, Senator Watson. . Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move to concur with House Amendment No. 1 to Senate Bill 807. House Amendment No. 1 just simply added an immediate effective date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall the Senate concur with House Amendment 1 to Senate Bill 807. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present...the Senate does concur in House Amendment 1 to Senate Bill 807, and the bill having received the required constitutional majority is declared passed. 814...814, Senator Weaver. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President, I would...thank you, Mr. President, I would move to concur in House Amendment 1 to Senate Bill 814. This House amendment clarifies the bill as to the commissioner's responsibility to work with the savings and loan trust companies and well as bank trust companies to provide that...provide trust services, and I would move its adoption or answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 814. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 814, and the bill having received the required constitutional majority is declared passed. Senate Bill 826, Senator Bruce. 834, Senator Degnan. 836, Senator Degnan. 838, Senator Bruce. Senate Bill 838, Senator Buce.

SENATOR BRUCE:

Thank you, the...the amendment is technical in nature and adds the proper reference to the Plat Act and also adds the word "exclusively" as it relates to oil and gas pipelines. I know of no objection.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? The...the question is, shall the Senate concur in House Amendment 2 to Senate Bill 838. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 3, 1 voting Present. The Senate does concur in House Amendment 2 to Senate Bill 838, and the bill having received the required constitutional majority is declared passed. 852, Senator Davidson. Senate Bill 852, Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, the amendment that the House put on and move to concur in changes the wording in the bill that if the State employee has been offered a bribe he reports to the Department of Law Enforcement and they're responsible to take it from there and report it to the state's attorney. I move to concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 852. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 852, and the bill having received the required constitutional majority is declared passed. Senate Bill 859, Senator Dawson. Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I wish to concur with House Amendment No. 1 to Senate Bill 859. It adds provision increasing general homestead exemption from fifteen hundred to two thousand dollars after January 1, '84 exempted from the State's Mandates Act...for senior citizens.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, this has to do with the...homestead exemption for senior citizens, does it not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson. Senator Dawson.

SENATOR DAWSON:

Yes, it does, Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

I would just point out to the membership that the Senate Revenue Committee has held all bills like this for hearings and study over the...this...the summer and fall, but this is...this is one of those that...that slipped out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Question is, shall the Senate concur in House Amendment 1 to Senate Bill 859. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 6, 2 voting Present. The Senate does concur in House Amendment 1 to Senate Bill 859, and the bill

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having received the required constitutional majority is declared...is declared passed. Senator Dawson.

SENATOR DAWSON:

I'd like to ask leave of the Senate to add Senator Lechowicz and Senator Egan as cosponsors of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson, if you...is there leave to add the entire Senate delegation on the Democratic side? Leave is granted. Senate Bill 860, Senator Marovitz. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I'd move that the Senate do concur with House Bill No. 1 to Senate Bill 860. The...the...the amendment allows the sheriff to issue a notice of appear for petty offenses and it's requested by the Sheriff of Cook County, Sheriff Richard Elrod. I would ask for concurrence with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would the sergeant-at-arms clear all unauthorized persons from the Floor...unauthorized persons please vacate the Floor. (Machine cutoff)...discussion? Any discussion? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 860. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 860, and the bill having received the required constitutional majority is declared passed. Senate Bill 864, Senator Vadalabene. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Bill...864 has two amendments, House Amendment No. 1 and House Amendment No. 2. Bev, this is Sam...Bev, I am

going to yield to Bev to explain House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

...thank you, Sam, for yielding to me. This is a...an amendment put on by Representative Yourell. It's similar to the one that I had over here. What it does is it allows the local libraries to have the same privilege as the district libraries in that in the last fiscal year...at the close of the fiscal year, the remaining balances shall be available for ninety days. The reason that this is needed throughout the State, really, for local libraries is to be able to pay their personnel until such time as the real taxes come in, and I'll be glad to answer any questions. If there aren't any, I would like to yield to Sam.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, before...before that, Channel 2 has sought leave to film the proceedings. Is leave granted? Leave is granted. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thanks, Bev. Amendment No. 2 to Senate Bill 864...when...when a municipality ceases to be a home rule unit or after January 1, 1983, which operates a library, this amendment determines the maximum total rate of taxes for library purposes which may be levied from the time when a...municipality ceases to be a home rule unit until the maximum rate of one or more of such taxes is changed by referendum. In other words, the tax rate would remain the same as it is now until a referendum is conducted; and the reason this bill is necessary, for in the Rockford area the budget for the libraries there is two million dollars, and if we do not pass this legislation, the Rockford library system will lose a half a million dollars, and I move to concur with Amendment No. 1 and to Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

This bill as amended, does this affect Chicago in any way?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

No, it does not. The City of Rockford.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats. You're time is running.

SENATOR KEATS:

I just want to ask a question to be sure of Amendment 2. According to our analysis, this basically takes care of, I mean, the Rockford situation where home rule was defeated by a wide margin and we are now, through the Legislature, saying the heck with the Rockford voters. I mean, how do we defend it? I'm not arguing for or against, I'm just asking for you to defend the position of saying that the voters didn't know what they were doing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, we're not defending the...the abolishment of the home rule unit of the City of Rockford. What we are defending here, and there's no tax increase, that unless we do something in regard to the budget for the...libraries in Rockford by abolishing the home rule unit they had budgeted for two

million dollars, this...if we don't pass this legislation, their libraries will...will be cut a half a million dollars, and that's...this is the importance of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Mahar.

SENATOR MAHAR:

Well, thank you, Mr. President. That was the general question that I had as to how much they were going to lose by not maintaining this and that's probably alright for Rockford, but what we're saying is that if a home rule unit decides to change his status, and usually most home rule units vote nonhome rule because of the broad taxing powers the citizens no long want to abide by. So, what we're saying is what basically Senator Keats has said is that we're saying to the people, we're not going to let you rule. We're going to say that regardless of whether you want to reduce your taxing power, we're going to give it to you anyway. So, it just seems to me that this flies in the face of the ability of the taxpayer to say that they're tired of what they're being taxed and they want to change their system.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Well, I rise in support, Senator Sam. Senator Mahar didn't seem to be concerned about the taxpayers just the other day when he voted in...in the face of their concern to raise their real estate taxes. It seems to be a little inconsistent. What a difference a day makes, Senator Mahar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene may close.

SENATOR VADALABENE:

Just in closing, this is not a tax increase; by referendum they can change that. This is necessary for the library system in the City of Rockford, and I concur with

Senate Amendment No. 1 and Senate Amendment No. 2 to House Bill 864.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall the Senate concur in House Amendment 1 and 2 to Senate Bill 864. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 13, 2 voting Present. Senate Bill...the Senate does concur in House Amendments 1 and 2 to Senate Bill 864, and the bill having received the required constitutional majority is declared passed. 866, Senator Marovitz. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I move that the Senate do concur with House Amendment No. 1 to Senate Bill 866. This is the Mandatory Reporting Act for nurses who are substance abusers. It says that, "Mandatory reporting will only be required where the addiction adversely affects the nurse's performance and not so if she voluntarily enrolls in a substance abuse program." I think it's a good idea, and I would move that we concur with House Amendment No. 1 to Senate Bill 866.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 866. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Savickas. Senator Savickas, would you vote me...have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill...the Senate does concur in House Amendment 1 to Senate Bill 866, and the bill having received the required constitutional majority is

declared passed. 882, Senator Jerome Joyce. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This adds criminal...this...provides...this provides criminal sanctions against a tenant who sells crops grown on the premises he is renting to a person who he has not disclosed to the landlord when the landlord has required such information. This was a package of bills...two bills that we passed over here and this...this is the type of legislation that I was referring to that is tightening up on grain...elevator failures, so...so that we won't have a problem that was...we talked about in...in Senate Bill 800. I'd be happy to answer any questions. If not any questions, I'd move the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Darrow.

SENATOR DARROW:

Would...would you specify what the criminal sanctions are?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes. The criminal sanctions for...are...an individual, it's a misdemeanor; a corporation, it's a business offense and a...a fine from two thousand to ten thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

To the amendment, I just merely say that here we have a situation where we're putting criminal sanctions in a Statue that's in Chapter 110 rather than Chapter 38 and

we're...we're looking at the...at such things as selling when you're a tenant. Evidentially when you're a tenant and you sell the crops growing on the premises without disclosing it to the landlord, they're going to bring criminal sanctions against you. I know this is supported by the farm community. I find it a little ironic. I would think that our current Statutes pertaining to theft and a number of other similar Statues would pertain here. It's...it's really no big deal but it's kind of ludicrous. I...I'm going to vote No even though the Farm Bureau is pushing this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 882. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Savickas. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 882, and the bill having received the required constitutional majority is declared passed. 883, Senator Macdonald. Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. House Amendment No. 1 to Senate Bill 883 is a good amendment. It simply requires that in the sizing of waste energy facilities that recognition of recycling industry must be taken into account. The language is taken basically from the language being considered by both the U.S. House and the Senate in the pending Resource, Construction and Recovery Act. I think this improves the bill and I concur in this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there any discussion? The question is, shall the Senate concur in House Amendment 2 to Senate Bill 883. Those in favor vote Aye. Those opposed vote

Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment 2 to Senate Bill 883, and the bill having received the required constitutional majority is declared passed. 891, Senator Bloom. Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. House Bill 891 which added a section mandating the Department of Children and Family Services to...as provide care to pregnant and unmarried children in maternity centers, your Florence Crittenton Homes and things like that. It comes back to us with two amendments; one is an amendment to take care of a concern voiced by Representative Pullen that basically says that nothing here would be construed to authorize the expenditure of public fund...their monies there for abortions, and the second amendment was added by Representative Preston which basically sets out the ground rules for executing interagency agreements regarding intake procedures, common eligibility criteria for folks in nursing home prescreening project and to include in those agreements that the establishment and development of noninstitutional services in areas of the State where there aren't nursing homes in these interagency agreement programs. The recommendation is that we concur in both amendments. I'll answer any questions; otherwise,...ask for a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Newhouse. Senator Newhouse on the Floor? Further discussion? Question is, shall the Senate concur in...House Amendments 1 and 2 to Senate Bill 891. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On

*SB 924  
concurance*

that question, the Ayes are 56, the Nays are none, 1 voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 891, and the bill having received the required constitutional majority is declared passed. 910, Senator Kustra. Senator Kustra on the Floor? 924, Senator Rigney. Senator Rigney on 924.

SENATOR RIGNEY:

The amended version of 924...first of all, the bill deals with...with the subject of transporting agricultural products. An amendment was added on in the House that I understand was at the request of the Motor Vehicles Commission, the State police and the DOT. What we're attempting to do here is to clear up the problem when a farmer takes his tractor and wagon and is transporting grain out on his local roads, the law is rather clear now that he can go from the field to the farm or from farm to farm transporting those products. Apparently the problem comes if he decides that he is going to transport any of this grain to the point of sale or to a point of storage that is not located on his farm. In some...at times this has been interpreted to be in violation of what is referred to as husbandry, and because of that, the feeling was that we needed to clarify that section of the law.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Discussion? If not, the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 924. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 924, and the bill having received the constitutional majority is declared passed. Senate Bill 931, Senator Buzbee.

SENATOR BUZBEE:

Yes, thank you, Mr. President. House Amendment 2 to Senate Bill 931 sharpens the language of the bill. It narrows the focus of the mandated public hearings concerning plant modifications to those field type changes that would reduce the use of Illinois coal, and it states clearly that while the Commerce Commission must consider coal industry employment impact, it must attach primary weight to cost factors, and I would urge the Senate to concur with the House amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Discussion? If not, the question is, shall the...Senate...Senate concur with House Amendment No. 2 to Senate Bill 931. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 931, and the bill having received the constitutional majority is declared passed. Senate Bill 938, Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would move to concur in House Amendments Nos. 1 and 2 to Senate Bill 938. This is the public financing of gubernatorial campaigns bill. The amendments that were put on by the House were two in number. The first one, I think, incorrectly raised some of the matching figures that we had in my original bill, and that because that was a committee amendment they just left it on. In any event, it is totally superseded by the second amendment which was worked out by my staff and common cause, and puts the bill in the same form in which we again passed it out of the Senate. Senate Bill 938, in either this version or its House version, has now passed this Body twice. The amendment, I think, takes care of a great many important problems. You

know exactly what it does because we have...debated it at length on two prior occasions. I would move that the Senate concur in House Amendments 1 and 2 to Senate Bill 938.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Macdonald.

SENATOR MACDONALD:

Yes, thank you. I would just like to remind the members on this side of the aisle that their analysis...I hope they look at it carefully. Senator Netsch did explain, however, what our reserves were about it that Amendment No. 1 really was...incorrect and that...Amendment No. 2...if you support this concept, Amendment No. 2 is the correct amendment. I, of course, will oppose the amendment because I oppose the entire bill, but I did want to make that correction for the Republican side.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 938. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 19, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 938, and the bill having received the constitutional majority is declared passed. For what purpose does Senator Joyce arise?

SENATOR JEREMIAH JOYCE:

I would like the record to reflect that I inadvertently pushed the wrong switch...the...instead of the green light. I would have voted Aye. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will so indicate. Senate Bill 942, Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I move for concurrence in

House Amendment No. 1 to Senate Bill 942. It merely specifies that financial assistance given by the corporation for science and technology which this bill establishes can be used for...to support exchange programs between institutions of higher education and technology related businesses. I ask for concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 942. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 942, and the bill having received the constitutional majority is declared passed. Senate Bill 951, Senator Schuneman. Senator Schuneman, 951.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senate Bill 951 is a Department of Insurance bill which adopts the new investment article for life and annuity companies doing business in the State of Illinois. The House adopted Amendment No. 1 and No. 2 which are exactly the same as amendments which were adopted in the Senate on the identical House bill that moved back over there. So, I move to concur with House Amendment No. 1 and No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 and 2 to Senate Bill 951. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, 1 voting Present. The Senate does concur in House Amendments No. 1 and 2 to

Senate Bill 951, and the bill having received the constitutional majority is declared passed. Senate Bill 962, Senator Kelly.

SENATOR KELLY:

Could you give me just a moment here to get these papers?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Okay...we'll be glad to give you moment, Senator Kelly, get your papers together. While we're waiting, Senator Joyce.

SENATOR JEREMIAH JOYCE:

Mr. President, while we're waiting, I'd ask leave of the Body to go to motions in writing for the purpose of considering a motion that I have filed here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is leave granted? Leave is granted. On the Order of Motions in Writing, Mr. Secretary. Read the motions, Mr. Secretary.

SECRETARY:

I move to reconsider the vote by which the Senate concurred in House Amendment No. 1 to Senate Bill 211. Signed, Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Yes, Mr. President, having voted on the prevailing side, I move to reconsider now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There's a motion by Senator Joyce to reconsider the vote by which the Senate concurred in House Amendment No. 1 to Senate Bill 211. Discussion? Senator Bruce.

SENATOR BRUCE:

Well, I think the Body is entitled to some explanation about reconsidering a vote. What is 211? What was the amendment? And why are we reconsidering it? And...and who

is the sponsor of the bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, we debated this yesterday and I believe that everyone in the Chamber is aware of it. It's in front of you and you can vote Yes or No, that's all I'm asking is a roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Well, I...I want to know what the bill is, what the amendment said and why you are asking to reconsider it? That's all I'm asking. I think that's a reasonable request, not only by me, but I think I would be joined by many other members of the Floor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 211. The motion before us is to reconsider the...vote by which the Senate adopted House Amendment No. 1. Senator Vadalabene.

SENATOR VADALABENE:

Yes, I don't know what's going on and till I find out, I move that that motion lie on the Table...(machine cut-off)..debatable.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...just taking a moment to get our file in order here. There is a motion by Senator Joyce to reconsider the vote by which House Amendment No. 1 was concurred with in the Senate to...Senate Bill 211. Senator Vadalabene has made a substantive motion that that motion lie on the Table. That motion is not debatable. For what purpose does Senator Bruce arise?

SENATOR BRUCE:

Make...I make a parliamentary inquiry. I've...I talked to the Secretary early this morning and the messages from...on those bills that which we acted on yesterday has

already gone to the House, and the motion to reconsider would be out of order if that's already gone, and I was informed by the Secretary that all action we took yesterday...that he sent the message over.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Secretary informs me that the message has gone over, but that the bill is still in the possession of the Secretary. Is there...Senate...on, Senator...we're talking on the motion now, Senator Collins, and that's not debatable. Senator Collins.

SENATOR COLLINS:

Senator...Sam also made a substitute motion to have that motion lie on the Table. Now what are voting on now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

And that's not debatable. We're voting on whether...Senator Sam Vadalabene's motion to lay on the Table Senator Joyce's motion to reconsider the vote. On the motion to lay on the Table, those in favor will vote Aye. Those will vote...those opposed will vote Nay. The voting is open. No...No...to lay on the Table, I vote No. On that question...on that question, the Ayes are...Mr. Secretary, have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 25, 3 voting Present. Senator Joyce has requested a verification of the Aye votes. Will those Senators please be in their seats and will the Secretary call the Aye votes...Secretary indicates he does have the roll call but he had inadvertently pushed the wrong...button. What's your point, Senator Buzbee?

SENATOR BUZBEE:

Mr. President, my point is that I'm sure the Secretary inadvertently punched that button, but to be fair to the Senators who are requesting the verification, because I'm sure there's going to be a verification requested of the negatives also, may I suggest that we just take the roll call

over on Senator Vadalabene's motion to lie that motion upon the Table.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That was the next step from the Chair. On...take that...clear the record. We will...we will vote now. The vote is on the motion of Senator Vadalabene's to lay on the Table Senator Joyce's motion to reconsider the vote on Amendment No. 1...House Amendment No. 1 to Senate Bill 211. All those in favor of laying that motion on the Table will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 26, the Nays are 25, none voting Present. A verification has been requested. Will the Secretary please call the Yea votes. Senator, I've been informed it takes thirty votes to lay on the Table...it takes a majority to lay on the Table, obviously thirty to reconsider. Secretary, please call the Yea votes for verification.

SECRETARY:

The following voted in the affirmative: Berman, Bruce, Buzbee, Collins, D'Arco, Darrow, Davidson, Dawson, Demuzio, Egan, Hall, Holmberg, Keats, Kelly, Kustra, Luft, Marovitz, Nedza, Netsch, Newhouse, Schaffer, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce, do you...do you question any of the affirmative votes?

SENATOR JEREMIAH JOYCE:

Senator Dawson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson. He's standing in the back of the room.

SENATOR JEREMIAH JOYCE:

Senator Keats.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats on the Floor? He's standing, talking.

SENATOR JEREMIAH JOYCE:

Senator Philip.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip on the Floor? He's in the back on the Democratic side. And he voted No, Senator.

SENATOR JEREMIAH JOYCE:

Wait a minute...wait a minute. Senator Davidson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson is in his seat. Is there verifications? Mr. Secretary...

SENATOR JEREMIAH JOYCE:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz. Is Senator Marovitz in his seat? Senator Marovitz. He's back from the telephone booth. Are there any further questions? On the final...final count is 26 Yeas, 25 Nays, none voting Present. Senator Vadalabene's motion prevails. For what purpose does Senator Lechowicz arise?

SENATOR LECHOWICZ:

Well, Mr. President, while we're on that order of business, I also filed with the clerk is a motion to reconsider on Senate Bill 726. Having voted on the prevailing side, I move that the Senate reconsider the vote by which Senate Bill 726 and Amendments 1, 2, 3, 4 and 5 were defeated. Let me tell you what transpired. The House member was here and he is willing to withdraw from Amendment No. 2 in the House and this way the bill would be in final passage, so I would like to at this...at this time, if it's appropriate, Mr. President, move to reconsider the vote by which 726 lost, Amendments 1, 2, 3, 4 and 5. Do I have leave of the Body?

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Secretary informs me that the message has gone over

to the House and...before he could take any action he'd have to try to get it back.

SENATOR LECHOWICZ:

That's correct. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The message is coming back quickly. Your motion is in order. We have the message back. Senator...Senator Lechowicz, having voting on the prevailing side, has moved to reconsider the vote by which Amendments No. 1, 2, 3, 4 and 5 to Senate Bill 726 were nonconcurrent in. Is...those in favor of...of voting to reconsider will say Aye. Those opposed. The Ayes have it. The motion to reconsider carries. Now that proposition will be in front of us to be heard later. On the Order of Senate Bills Concurrence, Senate Bill 962, Senator Kelly. Senate Bill 974, Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I move to concur in House Amendment No. 1. It puts an immediate effective date.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Is there discussion? If not,...Senator Kent.

SENATOR KENT:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR KENT:

Does this have a pay raise in it in the bill or the amendment in any way?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Absolutely not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 974. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted...take the record. On that question, the Ayes are 49, the Nays are 4, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 974, and the bill having received the constitutional majority is declared passed. Senate Bill 981, Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. What this bill does is...is a combination of a agreement that was struck in the House between the Attorney General's Office and the Chamber of Commerce on a definition of waste oil as a person that...that provides that no person shall transport by vehicle any used oil without a document such as a manifest or a bill of lading which clearly identifies the destination of such used oil. There is apparently some dispute in terms of the definitions because of the Mahar...Senator Mahar's bill of 757 which we passed out of here earlier. This bill is...I know of no opposition in reference to this new definition of...of waste oil.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 981. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 981, and the bill having received the constitutional majority is declared passed. Senate Bill 983, Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. The House Amendment No. 1 includes...no, wait a minute...I got the wrong one. I've got the wrong one...House Amendment No. 1 specifies in definition of occupational therapy, that referral by a physician is to be for occupational therapy. That tightens up the definition of occupational therapy to exclude certain group whos would not be affected by this law. House Amendment No. 2 is a technical amendment. House Amendment No. 3 provide...is...is technical. It changes the provisions as far as Class A Misdemeanors are concerned, and I would ask that we concur in the three House amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Bloom.

SENATOR BLOOM:

Well, very briefly, this is another great bill creating the regulation of another occupation where it isn't needed. There's already a private certification program going, and as is so often the case, this is the first step in a two-step process, and then the next step is to write them into the Insurance Code and mandate that they would qualify for payments under Blue Cross/Blue Shield and the Medicaid program. It's just another way to get at the treasury. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

Mr. President, we argued the merits of this bill on 3rd reading. The Sunset Committee, in fact, reviewed...reviewed this proposal and found nothing wrong with it. Occupational therapists perform a tremendous service in our communities and they definately deserve licensure, and we argued this bill on 3rd reading, this is not the time to argue it, Mr. President, and I ask that we concur in these amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

And the question is, shall the Senate concur in House Amendments No. 1, 2 and 3 to Senate Bill 983. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 16, 1 voting Present. The Senate does concur in House Amendments No. 1, 2 and 3 to Senate Bill 983, and the bill having received the constitutional majority is declared passed. Senate Bill 991, Senator D'Arco.

SENATOR D'ARCO:

(Machine cutoff)...concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco moves to nonconcur in House Amendments No. 1 and 3 to Senate Bill 991. All those in favor indicate by saying Aye. All those opposed. The Ayes...the motion carries and the House...and the Secretary will so inform the House. Senate Bill 995, Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. House Amendment No. 1 requires the intent requirement under the law to illegally obtain the proceeds of any insurance policy. House Amendment No. 2 deletes from the definition...of crime, the knowing assistance of betting, soliciting or conspiring with another to make a false report of theft or other loss. I don't know of any opposition. I would move to concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 995. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 995, and the bill having received

the constitutional majority is declared passed. Senator Bill 1000, Senator Rock. Senate Bill 1001, Senator Collins. Senator Collins moves to nonconcur in House Amendments No. 1 and 2 to Senate Bill...1001. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary will so inform the House. Senate Bill 1002, Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. Because we're still trying to work out language, I would ask the Body to nonconcur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito moves that the Senate nonconcur in House Amendments 1, 2, 3 and 4. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary will so inform the House. Senate Bill 1004, Senator Holmberg.

END OF REEL

REEL #5

SENATOR HOLMBERG:

I wish to concur with the House amendment. Basically, all it does is change the way the income tax deduction is computed for donating equipment to community colleges. It now reads, "equipment donated during the taxable year to a community college or community college district, an amount equal to 3.2 times the adjusted basis as computed under Section 10-11 of the Internal Revenue Code." And in another part of the bill, "for any equipment donated during the taxable year to a community college or community college district, an amount equal to two times the adjusted basis as computed under Section 10-11."

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1004. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1004, and the bill having received the constitutional majority is declared passed. House Bill 1006, Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move to concur in House Amendment No. 1 to Senate Bill 1006. This does for the bill dealing with contributions of equipment to elementary and secondary schools the same as the amendment for the junior colleges that Senator Holmberg just explained on Senate Bill 1004. Deals with the adjusted basis in the Internal Revenue Code. I move to concur in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1006. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1, and Senate Bill 1006 having received the constitutional majority is declared passed. Senate Bill 1011, Senator Collins. Senator Collins, 1011. Senate Bill 1011.

SENATOR COLLINS:

...move to concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins moves to concur with House Amendment No. 1 to Senate Bill 1011. Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1011. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 5, none voting Present. The Senate concurs in House Amendment No. 1, and Senate Bill 1011 having received the constitutional majority is declared passed. Senate Bill 1012, Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I would move we concur with the House amendment to Senate Bill 1012. What the amendment does is set up a pilot project with the Department of Commerce and Community Affairs and institute of higher education in the State whereby an individual that has an idea for an invention can go to that institution and get some help and evaluate the proposal for marketability and suitability for patent rights. It's...the program will charge the fellow who

has the invention a certain rate and it will pay for itself. There should be no State funding involved. It's a pilot project, as I indicated, and the Act terminates June 30th, 1986 if this does not work out the way we thought it would.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Bloom.

SENATOR BLOOM:f

Would you read for the Body the definition of inventor or innovator on page 2? I've never seen anything like that before.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Well, I'm not sure if this came out of Black's Law Dictionary or not, Prescott. It merely says, "An inventor is one who thinks of, imagines or creates something new which may result in a device, contrivance or process for the first time through the use of the imagination or ingenious thinking an experimentation."

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Well, I...you know, I...I don't confine my reading to Black's Law Dictionary. But, you know, when this went out of here it wasn't...you know, it...it...it was...wasn't a bad idea, but now, apparently, some of the...some of the brains over in the House decided to delete everything after the enacting clause and rewrite the bill; and now it's...there's a Small Business Innovators Opportunity Program Act for providing or research and counseling, I suppose, to people who imagine something new which may result in a device or a contrivance for the first time. In other words, someone could go to the Department of Commerce and Community Affairs and say, I imagine...an automatic imitation dragon defrogger and

qualify for a grant. I mean, those House guys didn't tighten this up at all. I mean, they...they took, you know, a fairly decent idea and really bollyxed it up according to our analysis. You sure you want to concur in this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

What we did with the piece of legislation that you speak so highly of, we wrote a number of patent attorneys in Chicago and asked them for their opinion of it. They did not think as highly of it as we did when we passed the bill out of here. So, therefore, rather than Table the bill, the House incorporated this amendment, and it struck everything after the enacting clause. What this is is a Statute of the State of Washington. Washington has this program, it works very well, and I'm told that that's where we obtained the definition of inventor, from the State of Washington. There would not be a grant, per se. What you would be doing is, the inventor would have to pay for the service that he receives, so, that's where we came up with the idea there would be no charge to the State of Illinois since the inventor would have to pay the amount of the service as determined by the Department of Commerce and Community Affairs.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Bloom.

SENATOR BLOOM:

Well, I don't want...you know, we've got a lot of other bills on the call. This went out on the Agreed Bill List, but the House folks, I guess, energized by the patent attorneys decided to adopt something from Washington, but I...I would suggest...respectfully suggest that maybe there are a lot of automatic imitation dragon defrogers out in Washington, or people who imagine these things. But I...I...the other patent attorneys, to the contrary notwith-

standing, I think this was a far better bill when it left the Senate, and I would remind the members that this is final passage, and so we're going to...we're going to send a bill down to his tallness, his excellency, the Governor that would authorize people who imagine something new which may result in a device...contrivance, et cetera, and perhaps let him have at it. I'm not so sure this is a good idea. Maybe you ought to nonconcur, put it in a Conference Committee and tighten it up. I mean, I want to pass it. I'm not trying to kill it. It's just that in its present form it's tough to vote Aye for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall the Senate concur in House Amendment 1 to...to Senate Bill 1012. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Senator Johns. Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 20, 1 voting Present. The Senate....the Senate does concur in House Amendment 1 to Senate Bill 1012, and the bill having received the required constitutional majority is declared passed. 1013, Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. We have come to the conclusion that Senate Bill 1013 is beyond salvaging. It's just an idea that's time has not come and may not ever come, and so, therefore, we'd move to Table Senate Bill 1013.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Darrow moves to Table 1013. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. 1013 is Tabled. Senate Bill 1017, Senator Vadalabene. Senator Vadalabene on the Floor? Senate Bill 1017...Senate Bill 1022,...Senator Lechowicz. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, I move that we nonconcur in House Amendment No. 1 on 1022.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Lechowicz moves to nonconcur in House Amendment 1 to Senate Bill 1022. All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. 1026, Senator Hall. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to nonconcur with House Amendment No. 2 on Senate Bill 1026 and ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Hall moves to nonconcur in House Amendment No. 2 to Senate Bill 1026. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senate Bill 1027, Senator Holmberg. Senator Holmberg.

SENATOR HOLMBERG:

I wish to concur with the House version of this bill. We had some discussion with the bonding companies after this bill was passed out of the Senate, and this particular version is...is preferential to them and to the House and now to us. It specifies that the State Treasurer may give preference to banks who use as security Illinois Municipal Bonds, and this, in effect, should increase their marketability. A second provision is that Federal Revenue Bonds give a unique provision for Illinois relating to home rule units, and this provision will encourage those home rule units to band together for...better rate on tax exempt mortgage revenue bonds, and I vote to concur with the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Any discussion? The question is, shall the Senate concur in House Amendment 2 to Senate Bill 1027. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? ...take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment 2 to Senate Bill 1027, and the bill having received the required constitutional majority is declared passed. Senate Bill 1028, Senator Egan. Senator Egan.

SENATOR EGAN:

Thank you, Mr. President. I move to concur in House Amendment No. 1 to Senate Bill 1028. What it does, it shifts the burden from the Board of Higher Education to the individual institutions. It has no opposition, and I...move its concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 1028. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 1028, and the bill having received the required constitutional majority is declared passed.

PRESIDENT:

If I can have your attention, some questions have been raised with respect to the remainder of the day's schedule. As you know, it is the 29th day of June. Senator Philip and I have been meeting with the House leadership. They have requested that they...or suggested that they intend to work this evening, and we have agreed to their request that we,

too, will be in this evening; for how long, yet, we do not know. So, it's the intent to break at five-thirty and we will return at seven-thirty. Five-thirty to seven-thirty, and we'll be back on the Floor at seven-thirty on the Order of the Calendar. The Order of Secretary's Desk Concurrence, Senate Bill 1035, Mr. Secretary.

SECRETARY:

Senate Bill 1035 with House Amendment 2.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. What we are doing here with House Amendment 2 is, we are making this bill now identical to Senate Bill 1035...or 684, I beg your pardon, inasmuch as we are increasing the bond limit per real estate borrower from one hundred thousand to a hundred and fifty thousand and also stipulating that no loans will be made to any agribusiness of more than one hundred employees and a gross income of over two million dollars the preceding year, and it changes the outstanding bond limit from two hundred million to a hundred million, earmarking fifty million of that for loans to qualifying agribusiness. It is identical, as I indicated, to the...House Bill 684, which is in the House on Concurrence Calendar.

PRESIDENT:

The question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1035. Any discussion? If not,...those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 1035, and the bill having received the

required constitutional majority is declared passed. If I can have your attention again, we have received a number of Messages acceding to our requests, or...the House asking us to accede to their request for a Conference Committee. We will get to that order of business at five o'clock. The Secretary, I'm sure, has provided everybody with the requisite information. We can handle that with some dispatch, and then we will go to the Order of the Executive Appointments Committee Report and handle that report, and then we will break at five-thirty for dinner. On the Order of Secretary's Desk Concurrence, Senate Bill 1040, Mr. Secretary.

SECRETARY:

Senate Bill 1040 with House Amendment No. 2.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Amendment...House Amendment No. 2 is put on by Representative Saltsman to accommodate a problem in Tazewell County. What it does, it adds the words "and to make grants to non-for-profit tourism organizations from Federal, State or any monies available." I imagine their county has had some problems with funding their tourism bureau, and he has requested this amendment. I would move to concur with it.

PRESIDENT:

Alright. Senator Savickas has moved to concur. The question...any discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1040. Those in favor vote Aye. Those opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 1040, and the bill having received the required

constitutional majority is declared passed. Senator Weaver. Okay. On the Order of Secretary's Desk Concurrence is Senate Bill 1047, Mr. Secretary.

SECRETARY:

Senate Bill 1047 with House Amendment No. 1.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I'd move that the Senate concur in House Amendment No. 1 to Senate Bill 1047. This makes it crystal clear that the fifty thousand dollar fee to foreign banks is...applicable only to the nonreciprocal foreign banks doing business in Illinois, and I'd move that we do concur.

PRESIDENT:

Alright. Senator Weaver has moved concurrence. Any discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1047. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1047, and the bill having received the required constitutional majority is declared passed...on the Order of Secretary's Desk Concurrence, Senate Bill 1048, Mr. Secretary.

SECRETARY:

Senate Bill 1048 with House Amendment No. 1.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. House Amendment No. 1 to Senate Bill 1048 deletes the provision in the bill authoriz-

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concurrance

ing optometrists, psychologists, nurses and physical therapists to become a part of a professional service organization. It still leaves intact the original intent of the bill to allow dentists to be a part of that professional corporation. I would move that the Senate concur in House Amendment No. 1.

PRESIDENT:

Alright. Senator Weaver has moved concurrence. Any discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1048. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1048, and the bill having received the required constitutional majority is declared passed. Senator Watson. On the Order of Secretary's Desk Concurrence is Senate Bill 1052, Mr. Secretary.

SECRETARY:

Senate Bill 1052 with House Amendment No. 1.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move that we concur with House Amendment No. 1 to Senate Bill 1052. House Amendment No. 1 simply deletes the added provision exempting claims of refunds in connection with utility overcharges from the two-year Statute of Limitations. This just brings it into consistency with other refund language of the Public Utilities Act. I move for its adoption.

PRESIDENT:

Alright. Senator...Watson has moved concurrence. Any discussion? Is there any discussion? If not, the question

is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1052. Those in favor will vote Aye. Those opposed will vote Nay. The voting is over...open. All voted who wish? Have all voted who wish? Have all voted who wish? Right. Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1052, and the bill having received the required constitutional majority is declared passed. Senator Davidson, on 1054. On the Order of Secretary's Desk Concurrence is Senate Bill 1054, Mr. Secretary.

SECRETARY:

Senate Bill 1054 with House Amendment No. 3.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I move to concur with House Amendment No. 3. It does three things; one, it gets the language in the correct procedure of sections that need to be; two, it establishes the rule making for the Department of Agriculture since we now gave them back the State Fair, and JCAR said they had to have this rule making ability; and, three, it adds that they will issue the rules in relation to racing in regards to the Illinois...excuse me, the Illinois EPA Association. Move to concur.

PRESIDENT:

Senator Davidson has moved concurrence. Is there any discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 3 to Senate Bill 1054. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment

*SB 1061  
non concur  
SB 1057  
non concur*

No. 3 to Senate Bill 1054, and the bill having received the required constitutional majority is declared passed. Senator Kustra, on 1057. On the Order of Secretary's Desk Concurrence is Senate Bill 1057, Mr. Secretary.

SECRETARY:

Senate Bill 1057 with House Amendment No. 2.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Mr. President, I move we nonconcur with Senate Amendment No...or House Amendment No. 2 to Senate Bill 1057.

PRESIDENT:

Alright. Senator Kustra has moved to nonconcur in House Amendment No. 2 to Senate Bill 1057. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. 1061, Senator Schaffer. On the Order of Secretary's Desk Concurrence, Senate Bill 1061, Mr. Secretary.

SECRETARY:

Senate Bill 1051 with House Amendment...

PRESIDENT:

61...61.

SECRETARY:

...1061 with House Amendments 4, 5, 7 and 8.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAPFER:

Mr. President, there apparently are some problems with this I wasn't aware of...just to simplify things, move to nonconcur in all the amendments.

PRESIDENT:

Alright. Senator Schaffer moves to nonconcur in House Amendments 4, 5, 7 and 8 to Senate Bill 1061. All those in favor indicate by saying Aye. All opposed. The Ayes have

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it. The motion carries, and the Secretary shall so inform the House. Senator Schuneman, on 1067. Senator Schuneman.

SENATOR SCHUNEMAN:

Inquiry of the Chair, Mr. President.

PRESIDENT:

Yes.

SENATOR SCHUNEMAN:

This is a department bill and they've asked me to hold it. I've never gotten any instructions. Are we going to get back to this?

PRESIDENT:

Absolutely.

SENATOR SCHUNEMAN:

Absolutely?

PRESIDENT:

I've got one right in front of you on the Calendar, we'll get back to it.

SENATOR SCHUNEMAN:

Then...then that's a good indication, Mr. President.

PRESIDENT:

I've got one behind you, too, so we'll get back there. 1070, Senator Sangmeister. 1-0-7-0, bottom of page 19. On the Order of Secretary's Desk Concurrence is Senate Bill 1070, Mr. Secretary.

SECRETARY:

...Senate Bill 1070 with House Amendments 1 and 4.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, I've been advised that there's a typographical error where there should be a "q" in a paragraph there's an "o," and I guess we better clean it up rather than relying on the Governor's Amendatory Veto. So, at this point, I move to nonconcur in Senate Bill No. 1070.

PRESIDENT:

Alright. Senator Sangmeister moves to nonconcur in House Amendments 1 and 4 to Senate Bill 1070. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. 1073, Senator Joyce. Alright. Senator Joyce moves to nonconcur in House Amendments 1 and 3 to Senate Bill 1073. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries. The Secretary shall so inform the House. 1078, Senator Bloom. On the Order of Secretary's Desk Concurrence is Senate Bill 1078. Mr. Secretary.

SECRETARY:

Senate Bill 1078 with House Amendment No. 1.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. Senate Bill 1078 is the Department of Registration and Education's rewrite of the Pharmacy Practice Act. The House added an amendment which was not given to me before the bill left the Senate. It adds a provision to the bill to provide that any violation of the Pharmacy Practice Act is a Class A Misdemeanor rather than a petty offense and that practicing pharmacy without a license is similarly punishable. I'd move its adoption...I'd move that we concur with the House amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 1078. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Marovitz. Have all voted who wish?...have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate

does concur in House Amendment 1 to Senate Bill 1078, and the bill having received the required...constitutional majority is declared passed. Senate Bill 1098, Mr. Secretary.

SECRETARY:

Senate Bill 1098 with amendment...House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I am moving to concur in House Amendment No. 1 to Senate Bill 1098. The bill as it passed the Senate was an amendment to the Probate Act dealing with the requirement of assurity in even cases where we use the independent administration of estates. House Amendment No. 1 clarifies a procedural issue, and it clarifies that it's necessary to file a motion to go before the court to terminate a bond in the event of, obviously, nonpayment of premium. It was suggested by the Chicago and Illinois Bar Association. There is no objection, and I would move that the Senate concur in House Amendment No. 1 to Senate Bill 1098.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Alright. Is there any discussion? Any discussion? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 1098. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 1098, and the bill having received the required constitutional majority is declared passed. Senate Bill 1104...Senator Vadalabene. Mr. Secretary, 1104.

SECRETARY:

Senate Bill 1104 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Amendments 1 and 2 to Senate Bill 1104, I move to concur with these amendments. These changes...House Amendment No. 1 and 2 state that the second offense of passing a school bus loading or discharging school children must occur within three years of the first offense in order for the suspension penalty to apply. These changes have the support of the State Board of Education, IDOT, the Department of Law Enforcement, the Illinois School Transportation Association and the Motor Vehicle Laws Commission, and I move to concur with House Amendments No. 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion?...any discussion? The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1104. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1104, and the bill having received the required constitutional majority is declared passed. Senate Bill 1111, Senator Kent. Mr. Secretary.

SECRETARY:

Senate Bill 1111 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kent.

SENATOR KENT:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Amendment No. 1 creates a space on the State Income Tax form where individuals who will receive a refund may designate up to ten dollars of that refund for the Illinois Veterans' Home Fund. The Governor has currently imposed

a freeze on the admissions at the Illinois Veterans' Home. As residents of the home pay fees and generate Federal reimbursement into the Veterans' Home Fund, this has put...severe constraint on the budgets of the home as well as forced more revenues from the General Revenue Fund. Approval of House Amendment No. 1 to Senate Bill 1111 would generate a minimum of one million dollars, which would ease the State's general revenue burden. This is particularly important as the Governor is in the process of funding a conversion of a portion of Manteno Mental Health Facility into another...veterans' home. No one has addressed how the second home will have its operations funded, and this will further ensure the success of Manteno conversion. I would certainly hope that...we have in the past passed out two checkoff bills, and I certainly hope we can do this one for the veterans. I would...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...

SENATOR KENT:

...I would move to concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...any discussion? Senator...Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I rise in support of this also. I think that it would help...in a much needed area. We have many veterans and they're, as Senator Kent said, they are in the process of converting some of the Manteno Mental Health Center to a veterans' home, and it would very definitely help in that area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, just briefly, I rise in support of this also.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate concur in House Amend-

ment 1 to Senate Bill 1111. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 1111, and the bill having received the required constitutional majority is declared passed. Is there leave to return to the...to Senate Bill 1098? Leave is granted. Senate Bill 1098, Senator Rock. Alright. Senator Rock.

SENATOR ROCK:

It's just been called to my attention there may have been an error in that amendment we unanimously adopted. I would...I'm going to file a motion to reconsider. I...I don't want to go to that order, obviously, today again, but I'll...let me just file it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright, take it out of the record. Senate Bill 1104, Senator Vadalabene. Mr. Secretary. We did that one? Alright, okay, take it out...1111 we've been out. Okay, on the Order of Concurrence, Senate Bill 1115, Senator Carroll. Senator Carroll on the Floor? Senate Bill 1116, Senator Marovitz. Mr. Secretary,...1116.

SECRETARY:

Senate Bill 1116 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do concur with House Amendments No. 1 and 2 to Senate Bill 1116. Amendment No. 1 just reiterates the State's policy that we should promote recycling efforts and activities in the State. And Amendment No. 2 makes it clear that, regarding nuclear waste, it

should be the Department of Nuclear Safety that has the pur-  
view of oversight, and I would ask for the concurrence on  
these two amendments to Senate Bill 1116.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? Senator  
Buzbee.

SENATOR BUZBEE:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Buzbee.

SENATOR BUZBEE:

You...you indicate here that Amendment No. 2 says that  
nuclear waste will not be subject to the Department of Envi-  
ronmental Protection Agency anymore but will be under  
the...under the control of the Department of Nuclear Safety.  
I'm not at all sure that I'm opposed to that, but how about  
in the low-level nuclear waste areas which we're going to be  
possibly creating more of those in the very near future? Are  
we really sure that's what we want to do, that the Department  
of Nuclear Safety is going to regulate those as opposed to  
the EPA?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

This was at the request of the department and...and  
that's really...I...I...I don't claim to be the expert, but  
they tell me that that's where it should be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee.

SENATOR BUZBEE:

When you say, "the department," are you talking about the  
EPA or the Department of Nuclear Safety?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

EPA.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee.

SENATOR BUZBEE:

Okay...if...if...if the EPA says that they think they're not qualified to regulate low-level nuclear waste but the Department of Nuclear Safety is, why I'll go along with it, but I...I'm not sure...that's what we want to do but...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, the...Department of Nuclear Safety, I think, is better equipped to handle those items, and I think it is a good thing to transfer to them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, just to take exception to what Senator Geo-Karis said, I don't think the Department of Nuclear Safety is better equipped to handle anything.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

I would just ask for an affirmative roll call on this concurrence motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The question is, shall Senate...shall the Senate concur in amendments...House Amendments 1 and 2 to Senate Bill 1116. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 5, 1

voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1116, and the bill having received the required constitutional majority is declared passed. Senate Bill 1119, Senator Etheredge. 1122, Senator Lemke. Senator Lemke on the Floor? Senate Bill 1123, Senator Schaffer. Mr. Secretary.

SECRETARY:

Senate Bill 1123 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is a technical amendment that was put on at the request of the Comptroller concerning the establishment of the seven independent funds for the block grants.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Buzbee.

SENATOR BUZBEE:

Well, I'm sorry, I was involved in nuclear waste here and I...I missed...missed the waste of the block grants. Senator Schaffer, would you mind to explain this...this amendment again?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

I'm reliably informed it doesn't glow. It's a technical amendment, I'm told, put on at the request of the Comptroller.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee.

SENATOR BUZBEE:

Well, it's...it's not exactly technical, because what it says is that...that the Department of Public Aid depositing reimbursements received for expenditures from the...from GRP for purposes authorized for expenditures from the Special

Purposes Trust Fund, that they are to deposit those into the General Revenue Fund rather than the...the Treasurer transferring...reimbursements. But the last sentence I'm a little confused on...the last sentence says, "Requires payment into local initiative fund of Federal reimbursements for expenditures from the fund made in accordance with the Federal Social Services Block Grant." Can you tell me what that means, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

What we have here is the classic technical amendment. I mean, if that isn't a technical amendment, I never heard one. I think what they're getting at is that this local initiative fund does evidently have some GRF ramifications, and as we sent the bill to the House, we were requiring all the money going back from the locals to go into that Block Grant Fund, and I guess what they're saying is that if some of it was money that was generated by GRF money, not Federal block grant money, it ought not to go in the Block Grant Fund, it ought to go into a GRF Fund. And I would call that a technical amendment. That's the kind of gobbledygook we pay hundreds of people to force down our throats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Well, if...if I understand the technology of the technical amendment, I...I...I think that what you said is correct, and I think this is alright. We may have to undo this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 1123. Those in favor will vote Aye. Those opposed will...vote Nay. The voting is open. Have all voted who wish? Have all voted who

wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 1123, and the bill having received the required constitutional majority is declared passed. 1132, Senator Luft. Mr. Secretary, 1132.

SECRETARY:

Senate Bill 1132 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I move to concur in Amendment No. 1 which has a technical...the word "states" was misspelled. They spelled that properly, and they also eliminated the administrative office of the courts being required to file copies of reports with the board since the state's attorney was making that filing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there any discussion? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 1132. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1132, and the bill having received the required constitutional majority is declared passed. 1135, Senator Schaffer. Mr. Secretary, 1135.

SECRETARY:

Senate Bill 1135 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, Senate Bill 1135...I don't know, let's

SB 1147  
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SB 1191  
Concurrence

skip it for a second.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. 1144, Senator Egan. Alright, that's...I understand it was nonconcurrent in this morning. Also, 1146 was nonconcurrent in. Top of page 21, Senate Bill 1147, Senator Maitland. Mr. Secretary.

SECRETARY:

Senate Bill 1147 with House Amendments 2 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I move the Senate concur in House Amendments No. 2 and No. 3 to Senate Bill 1147. Amendment...Amendment No. 2 requires that the reserves shall...will be...will be equal to the actual...actuarial requirements of the fund instead of the present minimum reserve requirement of ten thousand dollars for each policeman and beneficiary. And Amendment No. 3, I am told, is purely technical.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall the Senate concur in House Amendments 2 and 3 to Senate Bill 1147. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendments 2 and 3 to Senate Bill 1147, and the bill having received the required constitutional majority is declared passed. 1153, Senator Jones. Senator Jones on the Floor? 1174, Senator Rupp. Senator Rupp on the Floor? 1176, Senator Rupp. 1191, Senator Bloom. On the Order of Concurrence, Senate Bill 1191, Mr. Secretary.

SECRETARY:

Senate Bill 1191 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Mr. President and fellow Senators. Basically, this was a Department of Registration and Education bill, as you can see, that did some fee changes in various Acts and sailed out of here...now, Amendment No. 1 was prepared and didn't catch up with this bill until it got over into the House, and essentially what it does is, does some odds and ends in the Detection of Deception Act, the Physicians Assistant Act and the Boxing and Wrestling Act. Amendment No. 2 was offered by Representative Woodward...Woodyard, and basically repeals the continuing education sections of the Illinois Medical Practice Act. I would move that we concur with these two House amendments. Answer any questions; otherwise, get a roll call.

PRESIDING OFFICER: (SENATOR DEHUZZIO)

Any discussion? Any discussion? The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1191. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Senator Marovitz. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1191, and the bill receiving...having received the required constitutional majority is declared passed. Senate Bill 1220, Senator Rock...Mr. Secretary, 1220.

SECRETARY:

Senate Bill 1220 with House Amendments 4 and 6.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I am going to move to concur with House Amendments 4 and 6 to Senate Bill 1220. Senate Bill 1220, as it left this Chamber, was an amendment to the Court of Claims Act, which was introduced at the request of the court. It contained a number of miniscule changes, two of which they felt were extremely important. One, as you know, now the court can...run a separate docket and pay claims of less than one thousand dollars directly without the full-blown hearing, upon proper validation, obviously, by the Comptroller and the Bureau of the Budget that it was due to a lapsed appropriation. They wish to raise that limit, and the House did that by virtue of an amendment, they raised that limit to twenty-five hundred dollars. Additionally, the House also, at the request of the Secretary of State...the Secretary of State, as you know, provides office space and so forth for the court. There was some controversy between the court and the Secretary of State as to who should decide what the court of claims needed. This...after agreement pursuant to those, the House put on Amendment No. 4 which said that the current practice obtains, namely the Secretary of State, will decide what kind of space and how much space. I know of no objection, and I would move concurrence in these two House amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Any discussion? The question is, shall the Senate concur in House Amendments 4 and 6 to Senate Bill 1220. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 2, none voting Present. The Senate does concur in House Amendments 4 and 6 to Senate Bill 1220, and the bill having received the required constitutional majority is

declared passed. Senate Bill 1232, Senator Macdonald. Mr. Secretary.

SECRETARY:

Senate Bill 1232 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Amendment No. 1 is a good amendment which tightens up the day-care center bill that went out of here, and it provides that the township shall use the standards established by the Department of Children and Family Services in determining the recipients of subsidized day care. The second amendment says that any such day-care center as is contracted with must be...have been in business for at least one year. I think these are good amendments and I concur with them and I hope that you will too.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall the Senate concur in...in House Amendments 1 and 2 to Senate Bill 1232. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. The Senate does...does concur in House Amendments 1 and 2 to Senate Bill 1232, and the bill having received the required constitutional majority is declared passed. 1237, Senator Joyce. Mr. Secretary, Senate Bill 1237.

SECRETARY:

Senate Bill 1237 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. I move that the Senate do

concur with House Amendment No. 1 to Senate Bill 1237. The House Amendment No. 1 is the result of negotiations between Miss Farley and the do-good group and the financial people. It takes off all of the prohibitions with respect to use of wage assignments and substitutes that with language clarifying the notice to be given. Basically, the notice is in the...is...is in the legislation now. This clarifies what notice is to be given.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The...Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, I...I'm sorry, Senator Joyce. This...this is a new bill, right, from the bill you sent over?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I...I really don't know if this is a face-saving technique or what has happened to tell you the truth, Senator. I know that what we passed out is now gone, and all of the people who give people credit are now happy with this as opposed to being unhappy with what we passed out of here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, what if some...what if this happens in error? I mean, what if the...if the wage assignment is made in error?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, is that a question?

SENATOR DeANGELIS:

...do you have to knowingly do this or can it...if...if an error occurs, you're still going to get a fine?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JOYCE:

Well, I am told by staff that this amendment does not change that. Whatever the law is now remains the same.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Then...then why do we need it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I told you. In my opinion, I think it's a face-saving technique or...or...or I...I...I don't know. I was not privy to the negotiations or discussions between the lenders and those people who hold paper and Miss Farley and her group. I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

A question for the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

He indicates he will yield. Senator Welch.

SENATOR WELCH:

Is there currently a fine on a person who...who wrongfully serves notice of assignment or demands for wages? Is there currently a fine and how much is it, if so?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

It raises the fine to five hundred dollars...in actual damages. Right now, it's just actual damages.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch. Senator Welch.

SENATOR WELCH:

So, if the wage demand is served and no wages are with-

held, you can...the employer or person upon whom the wage demand...person upon whom the wage demand is served who wrongfully withholds, the employer, or the person serving the wage demand, the paper holder, either or both can be held responsible for a five hundred dollar fine each even if no money is withheld from the employee's check?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I...I am told, just the person who sends the wrongful notice is liable.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, the information system sheet here doesn't say that, it says, "Five hundred dollars and actual damages on a person who wrongfully serves notice of assignment or demand for wages or who wrongfully fails to release a demand."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Whoever...I am told that whoever wrongfully releases is already in current law and this amendment doesn't change that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, when you say, serves a demand, I assume that's the person originating the wage assignment as opposed to the individual process server serving it, is that the intent or is that written in the legislation somewhere?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Joyce.

SENATOR JEREMIAH JOYCE:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, that's not what this sheet says. The sheet says something totally different. I think that this is a...a bad idea. I think that a five hundred dollar fine automatically it seems without reference to any intent, because of possibly a clerical mistake, imposing a five hundred dollar fine on a...on a paper holder, a person to whom somebody is liable in damages, is a bit harsh. I think that the original bill which came out of the Senate, I think it came out with a substantial vote, was a better bill and I think that we should defeat this House amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

I...in reading the synopsis and the printout, I...I have to agree with Senator Welch. The bill that we passed would eliminate wage assignments. That's fine, but here we're keeping wage assignments but imposing an automatic fine of five hundred dollars if there is some error in the processing. You're...you're going to slam collection agencies and employers with an automatic fine where I really don't think it's justified. I would suggest that you make it...nonconcur and see if you can work something better out. This...this is going to bring credit to a halt, I...I'm afraid.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, you know, I...I don't...I could care less one way or the other. I mean, if we vote it down it goes into...to...to conference and...and I...you know, it's

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Continued

Parley's bill so, fine, whatever you want to do. I...I would think that from the other side of the aisle this is the lesser of what would be perceived to be an evil.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

The question is, shall the Senate concur in House Amendment 1 to Senate Bill 1237. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Savickas. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39...the Ayes are 40, the Nays are 14, 3 voting Present. The Senate does concur in House Amendment 1 to Senate Bill 1237, and the bill having received the required constitutional majority is declared passed. 1239, Senator Jeremiah Joyce. Mr. Secretary, 1239.

SECRETARY:

Senate Bill 1239 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I move that the Senate do concur in House Amendments No. 1 and 2 to Senate Bill 1239. The first amendment is a technical amendment. The second amendment clarifies that...what the intent of the...what was our stated intent when we had this bill before us, and that is that the director could act to exempt those exceptional hardship-type cases.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Any discussion? Senator Bloom.

SENATOR BLOOM:

Yes, I have a couple of questions for the sponsor. Senator Sangmeister isn't here, so I guess it falls on me to ask it. It looks...it looks like the first amendment says, "A subsequent conviction is...is...is...will now become probationable." Is...is that the effect of Amendment No. 1,

and if so, why?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I don't know on the...with respect to the first amendment, Senator Bloom. I am told that it's...that it's technical.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Could you check with...you know, we're at sea here. I...I look at that and my handler is not around and apparently your handler isn't around. You know, it may be there's a good reason why the first amendment...they would now say that a...subsequent offense would be probationable. I...I just don't know. I was making an inquiry because in the past we've had some concern about changing our penalty structure, both up and down. That's why I asked, and...and maybe during this intervening time, somebody could get that information before we vote on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Joyce may close. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Senator Bloom, is it your understanding...are...are you asking whether or not the deletion of the provision that a second offense shall be probationable...shall not be probationable? That's gone. Why? Hang 'em high and hang 'em long, I guess. No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

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END OF REEL

REEL #6

SENATOR JEREMIAH JOYCE:

The...the answer to your question is, that's what it took to get it out of the House to be honest with you. Okay?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1239. Those in favor will signify...will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 9, 6 voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1239, and the bill having received the required constitutional majority is declared passed. Senate Bill 1241, Senator Newhouse. Mr. Secretary, 1241.

SECRETARY:

...Senate Bill 1241 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. House Amendment No. 1 to Senate Bill 1241 is a clarifying amendment...the Department of Public Aid is neutral on that. House Amendment No. 2 to Senate Bill 1241 adds to the bill a new Act, the Pharmaceutical Assistance Act. It adds to the Senior Citizen Circuit Breaker Program a new option. The bill, as amended, gives our senior citizens an option of receiving the eighty dollars additional grant currently provided under the circuit breaker program or receiving...prescription drugs at a greatly reduced price. If a senior citizen elects the pharmaceutical option, they forego their additional grant. This helps finance the new program and screens out infrequent

users thus keeping costs under control. The senior then receives an identification card which will entitle them to buy any prescription...drug or insulin except controlled substances for a two dollar copayment. The State then reimburses the pharmacist the difference between the copayment and the reasonable cost of the drug. The bill provides a workable definition of reasonable cost which was developed in consultation with all pharmacist organizations and meets their needs. The Illinois Department of Revenue estimates the cost of this program to be four and a half to nine million dollars. We have not provided any additional relief to our elderly citizens for several years and it's long overdue. This is the number one priority on the agenda of the Illinois Council of Senior Citizens' organizations. It will be number one on our agenda too. I move that this Senate concur in Amendments 1 and 2 to Senate Bill 1241.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Any discussion? Senator Kent.

SENATOR KENT:

Thank you, Mr. President and members of the Senate. I would like to point out a few things regarding this amendment. First, this places the Department of Revenue in the role of a welfare agency. Two, Department of Public Aid currently provides drug benefits for eligible persons. And three, this bill is...inconsistent in its eligibility requirements. Four, this would put a hundred percent State funded program. I'd like to also point out that besides the 4.9 million dollar cost, this bill has technical problems as well as after a Do Pass motion in committee, it failed. And I would hope that this Body could nonconcur with this amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

Would you go through the eligibility requirements one more time?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

The requirements are the same as the Senior Citizens Circuit Breaker Program. But, I'll...I'll go through them seriatim if you'd like again.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Watson.

SENATOR WATSON:

If you don't mind, I'd like for you to. Yes.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator Newhouse.

SENATOR NEWHOUSE:

If the senior elects the pharmaceutical option, first of all, they forego the eighty dollar Circuit Breaker Grant. That eighty dollars helps finance the program. The senior then receives an identification card entitling that senior citizen to buy any prescription drug for a two dollar copayment. The State then reimburses the pharmacist the difference between the copayment and the reasonable cost of the drug. Is...is that what you wanted to know, Senator? Is that it?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Watson.

SENATOR WATSON:

Thank you. Yes. The two dollar copay, I...I personally agree with the copay philosophy, but I just...this is going to be a nightmare to administer not only in the local

pharmacies but I would imagine here in State government it's going to be very costly. How...let me ask one more question. How did you come up with this...the estimated cost? Do you have any idea what the average individual senior citizen's monthly drug bill might be? What...how did you come up with these costs?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

The Department of Revenue came up with these dollar figures.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, that's interesting. I wonder how they...how they could come up with anything with...what have we got here a spread of about five million dollars, and from what I understand it's going to be much more costly than what the department has determined. Believe me this is...is not necessarily something that your retail pharmacist is going to support and I would urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse...Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would point out one thing to the members, that the bill also has a delayed effective date of July 1, 1984. That does two things, it allows the department to get the program worked out and ready to go, and it also takes it out of our fiscal consideration for this next fiscal year which obviously is very important in view of the precariousness of this next fiscal year. Beyond that, I would simply add that it is an extremely important program.

It is a trade-off for the eighty dollar additional grant. That in itself is one of the reasons why it is not going to

cost as much as it otherwise would. It is something that the senior citizen groups have wanted for a long time. It meets one of their most pressing needs, and I would urge support of the concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. To the speaker that said that this would cause a nightmare for the pharmacist, that is not true because in many instances most pharmacists, retailers, participate already in this type of program because many private companies have this type of insurance. I know several groups, some are Federally funded connected clinics, also have this type of program of copayment. So it is something that they have been familiar with all the time, and this is not going to cause a problem for administration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse may close.

SENATOR NEWHOUSE:

Thank you, Mr. President. I'd ask an Aye vote on the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1241. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 23, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1241, and the bill having received the required constitutional majority is declared passed. 1254, Senator Schaffer. On the Order of Concurrence, the bottom of page 21, Senate Bill 1254, Mr. Secre-

tary.

SECRETARY:

...Senate Bill 1254 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAPPER:

Mr. President, this is a Commission on Mental Health bill. As it left the Senate it...it established a...a procedure in the Department of Mental Health for setting rates for community agencies that provide services for...the developmentally disabled. As I believe I mentioned, at that point, we were hopeful that we could expand the bill to include the treatment of...or the rate setting process for the mentally ill and for the alcohol programs within the department. Subsequent to that point in time, we have had a series of meetings and we've been able to work out language to bring all three of the major components together; and what you have before you in the amended form of 1254 is I believe an agreed bill that the department supports and that the community based agencies support, which it's my sincere hope will provide a structure to come up with a intelligent, meaningful and fair rate setting process in the mental health area. Be happy to answer any questions. I think we've got it in pretty good shape.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1254. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 1254, and the bill having received the required constitutional majority is declared

AB 1264  
Concurrence

passed.

PRESIDENT:

Top of Page 22, on the Order of Secretary's Desk Concurrence is Senate Bill 1260. Mr. Secretary.

SECRETARY:

Senate Bill 1260 with House Amendment 3.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. House Amendment No. 3 exempts permits issued pursuant to the Resource Recovering Conservation Act from the scope of this bill. It requires the EPA to make a preliminary determination regarding a permit application subject to the bill and that the public hearing provided for shall concern that preliminary determination. This amendment provides that the new requirements shall apply to all new regional pollution control facilities for the disposal of hazardous waste but not to those...permitted pursuant to the Federal RCRA program. The amendment has been agreed to by the Attorney...General's Office, the industry and I...I am told, the Environmental Protection Agency and I know of no opposition.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 3 to Senate Bill 1260. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. The Senate does concur in House Amendment No. 3 to Senate Bill 1260, and the bill having received the required constitutional majority is declared passed. 1263, Senator Weaver has already nonconcurrred in, I am told. 1264, Senator Watson. On the Order of Secretary's Desk Concurrence

is Senate Bill 1264, Mr. Secretary.

SECRETARY:

Senate Bill 1264 with House Amendments 1 and 2.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move that the Senate concur with House Amendments 1 and 2 to Senate Bill 1264. House Amendment No. 1 deletes methaqualone in sections overlooked by our Senate amendment. As you recall, we took Quaaludes off of schedule two put them on schedule one. This just deletes the...the language, it's a technical amendment actually. House Amendment No. 2 makes possession of a controlled substance probationable to eliminate constitutional problems associated with the fact that it's now nonprobationable while delivery and manufacture, which is actually a more serious crime, are probationable. I move for its adoption.

PRESIDENT:

All right. Senator Watson has moved to concur with the House amendment. Discussion? Senator Kelly.

SENATOR KELLY:

I've got a question to ask the Senator.

PRESIDENT:

Indicates he'll yield, Senator Kelly.

SENATOR KELLY:

I'd like to know what is Quaaludes? Didn't you place it into the Class 1 category of controlled substances? Is it...is it...is that where it's at, with the amendment that's been...being adopted?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

That's right. You're a cosponsor of the bill also and that's what we did; we put it in schedule 1, took it out...we

SB 1307  
Non-Concurrence

took it out of the retail stores. That's...

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 1264. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1264, and the bill having received the required constitutional majority is declared passed. Senator Philip on 1268 moves to nonconcur? Moves to nonconcur with House Amendment No. 1. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Degnan on 1307. Senator Degnan moves to nonconcur with House Amendments 1, 2 and 3 to Senate Bill 1307. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1310, Senator Schaffer. On the Order of Secretary's Desk Concurrence is Senate Bill 1310, Mr. Secretary.

SECRETARY:

Senate Bill 1310 with House Amendment No. 1.

PRESIDENT:

Senator Schaffer. There's two of them.

SECRETARY:

I'm sorry. House Amendment No. 2.

PRESIDENT:

Okay. Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is again another community...another Mental Health Commission bill. This one, there's really only minor changes in the House amendments, some clarification and some planning requirements and some staffing ratios, basic-

ally some technical stuff. I think it just basically cleanup of the original Community Act.

PRESIDENT:

Senator Schaffer has moved concurrence. Any discussion? Any discussion? If not, the question is, shall the Senate concur House Amendment No. 2 to Senate Bill 1310. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 1310, and the bill having received the required constitutional majority is declared passed. 1319, Senator Holmberg. Senator Holmberg.

SENATOR HOLMBERG:

I wish to concur in 1319 with House Amendment 1, 2 and 5.

PRESIDENT:

All right. Mr. Secretary, read the bill.

SECRETARY:

Senate...Senate Bill 1319 with House Amendments 1, 2 and 5.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Amendment No. 1 is dealing with the...a public transportation system for elderly and handicapped persons, deals with a front door referendum. The Taxpayers' Federation thought the maximum rate might be too high, that of .15. I concur with reducing it to .075. Amendment No. 2 would allow a municipality or a court to disconnect any territory of at least twenty acres located on the municipality's border as long as the proper safeguard such as petitions and waiting periods and so forth have been met. Amendment No. 5 authorizes villages to conduct nonpartisan primary elections for

village president and trustees, if this method has been approved by the voters at a referendum.

PRESIDENT:

Senator Holmberg has moved concurrence in the three amendments. Discussion? Senator Egan.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. Senator Holmberg, just to reassure me, I have a...a township with two villages inside the township within the confines of the City of Chicago, completely surrounded they are an island. And there is usually in this...about this time of the year an amendment for an annexation of part of that territory, and it doesn't originate with Norwood Park Township but someplace outside of the city and outside of the County of Cook. And I just want your assurance that this isn't that thing again. And my memory is not good enough to be specific.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Yes, I...I checked that out to be sure and that is not true, this is not the old amendment.

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. That was a concern that I had with...with the amendment also; and Senator Egan, I have been assured that that's not the case so, therefore, I can support it also.

PRESIDENT:

All right. The question is, shall the Senate concur in House Amendments 1, 2 and 5 to Senate Bill 1319. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who

wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendments 1, 2 and 5 to Senate Bill 1319, and the bill having received the required constitutional majority is declared passed. 1324, Senator D'Arco. On the Order of Secretary's Desk Concurrence, Senate Bill 1324, Mr. Secretary.

SECRETARY:

Senate Bill 1324 with House Amendments 1 and 2.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. House Amendment No. 2 amends the Consumer Installment Loan Act to provide that the cost incurred by the lender for title insurance, title examination, abstract of title and so on can be charged to the borrower up to the cost incurred by the lender. It also provides a ten dollar...payment for bad checks. It also provides that the licensee shall not be considered to be the borrower's agent or broker in connection with the sale of insurance. This is a result of a Supreme...an Appellate Court case, Bowden versus Hanley Dawson. It also eliminates the penalty structure which would provide for twice the amount of the total charges determined by the loan contract which is consistent with the Sales Finance Act and the Consumer Finance Act. It also eliminates the word...clerical so that other errors including computer errors can be calculated by the...by the lender. I would ask to concur in House Amendment No. 2.

PRESIDENT:

All right. Senator D'Arco has moved concurrence. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, this Amendment No. 2 contains three provisions that were in House Bill 751 which were defeated in the Finance

Committee. And I just would rise in opposition to this amendment, and I think it's something we ought to be nonconcurrent in and go back for further discussion.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill...1324. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? All voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 2, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill...1324, and the bill having received the required constitutional majority is declared passed. 1328, Senator Sam. On the Order of Secretary's Desk Concurrence, Senate Bill 1328, Mr. Secretary.

SECRETARY:

Senate Bill 1328 with House Amendment 1.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Amendment No. 1 to Senate Bill...1328 adds physicians and eye banks approved by the American Eye Bank Association to the roster of individual's organizations who may request corneal tissue. The corneal tissue shall be removed by a person authorized by the Uniform Anatomical Gift Act. This amendment is an agreement between the Illinois State Medical Society and the Illinois Association of Coroners, and I move for its adoption...or I move to concur with House Amendment No. 1 to Senate Bill 1328.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1328. Those in favor will vote Aye. Those opposed vote Nay.

SB 1332  
Concurrence

The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House...the Senate does concur with House Amendment No. 1 to Senate Bill 1328, and the bill having received the required constitutional majority is declared passed. 1332, Senator Bruce. On the Order of Secretary's Desk Concurrence is Senate Bill 1332, Mr. Secretary.

SECRETARY:

Senate Bill 1332 with House Amendments 1 and 6.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President, I would move to concur with 1 and 6. We have seen this bill in its amended form as House Bill 234. What we have done is meet the request of many individuals on this particular piece of legislation, the State Library Association for the adoption of rules and regulations; the Department of Registration and Education on licensure; to the Criminal History Record Information people on criminal information; to the...and to their commission; to the commission from the State of Illinois, the Legislative Investigating Commission; any financing and marketing transactions; the Legislative Investigating Commission, their records dealing with legislative investigation and confidential sources. I would ask for your favorable vote.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 6 to Senate Bill 1332. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, 1 voting Present. The Senate does concur in House Amendments 1 and 6

*AB 1333  
Concurrence*

to Senate Bill 1332, and the bill having received the required constitutional majority is declared passed. 1333, Senator Newhouse. On the Order of Secretary's Desk Concurrence, top of page 23, Senate Bill 1333, Mr. Secretary.

SECRETARY:

Senate Bill 1333 with House Amendments 1 and 2.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. House Amendment No. 1 to Senate Bill 1333 strengthens the notice provisions and extends the time with which the obligor may respond to the notice. The amendment has been agreed upon by all the parties who have been working on the Child Support Enforcement Program. House Amendment No. 2 is a technical amendment. I would move to concur with the House Amendments 1 and 2 on Senate Bill 1333.

PRESIDENT:

All right. Senator Newhouse has moved concurrence. Any discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1333. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 1333, and the bill having received the required constitutional majority is declared passed. Senator Nedza on 1336, Mr. Secretary.

SECRETARY:

Senate Bill 1336 with House Amendments 1, 2 and 4.

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to nonconcur with Amendment No. 4...and concur with Amendments No. 1 and 2.

PRESIDENT:

All right. Senator Nedza moves to nonconcur with House Amendment No. 4. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. The question is...on Amendments 1 and 2, Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. With Senate...or with the House Amendment No. 1 and 2 this puts the bill in the same posture as House Bill 2176 which we passed out of here just the other day and I'd move their adoptions.

PRESIDENT:

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, I think that may be true except for one important exception. This bill does not contain a State mandate's disclaimer, and I think that's something that we need to look at very carefully. If...if we're going to mandate increases in pensions, we should make sure that the State isn't going to have to pay the city's cost.

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

Oh...Senator, that's why it will go back into conference to have that proper document placed on it.

PRESIDENT:

All right. Question is, shall the Senate concur in House Amendments...Senator Schuneman.

SENATOR SCHUNEMAN:

...well, you're not calling for a conference at this time

though are you, Senator?

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

No, sir, I can't at this point. The House sponsor...has assured me that that's what he is going to be doing.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, so this is, in fact, final action on this bill...

PRESIDENT:

No.

SENATOR SCHUNEMAN:

...unless...unless the House, is that not right?

PRESIDENT:

That is not right. In this Chamber this message will be sent to the House that we have refused to concur in House Amendment No. 4 to Senate Bill 1336.

SENATOR SCHUNEMAN:

Okay.

PRESIDENT:

They have the opportunity then to recede or call for a Conference Committee. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, so in that case it could be.

PRESIDENT:

In...in the House, it could be. Yes. Senator Nedza.

SENATOR NEDZA:

Senator Schuneman, the House sponsor has assured me, now this is an identical piece of legislation with House Bill 2176 which has the disclaimer on; so if they're going to pay games with this, we have the other one so which has the disclaimer.

PRESIDENT:

SB 1348  
Concurrence

Senator Schuneman.

SENATOR SCHUNEMAN:

No, there's no intent to play games. But there is an intent to...to make sure...and I...I guess that...that if you give your assurances to this Body that...that, in fact, there will be a State mandate's disclaimer on the bill, that satisfies me, Senator, but...but we ought to know what we're doing.

PRESIDENT:

The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1336. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, Nays are 1, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1336. 1348, Senator Maitland. On the Order of Secretary's Desk Concurrence, Senate Bill 1348, Mr. Secretary.

SECRETARY:

Senate Bill 1348 with House Amendment No. 1.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. I move the Senate concur in House Amendment No. 1 to Senate Bill 1348. To explain very briefly what the amendment does, we had exempted counties of one million or more, and this language would delete that and cause it to come under the Lake Michigan Act which also includes the counties of DuPage, Kane, Lake, McHenry and Will. And there was some concern about that in the House and we've agreed...I have talked with my hyphenated cosponsor, Senator Joyce, he's in agreement, and I move for concurrence to House Amendment No. 1.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1348. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 1348 and the bill having received the required constitutional majority is declared passed. 1349, Senator Bloom. Mr. Secretary.

SECRETARY:

Senate Bill 1349 with House Amendments 1 and 2.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Thank you. House Amendment No. 1 basically conforms 1349 which as you know is...provides for a certain payments made under the child care...child in...from the Child Abuse Prevention Fund. It conforms it to the general practice that all payment from public funds be made by warrant drawn by the Comptroller. House Amendment No. 2 adds an immediate effective date. They both improve the bill. Answer any questions; otherwise, I'd seek a favorable roll call. Thank you.

PRESIDENT:

The Senator has moved concurrence. Discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 1349. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 1349 and the bill having received the required constitutional majority is

declared passed. Senator Egan, for what purpose do you arise?

SENATOR EGAN:

Thank you. If I may take this opportunity to discharge the Committee on Executive from three resolutions:

PRESIDENT:

Yes.

SENATOR EGAN:

All right. I move then, Mr. President, that we discharge the Committee on Executive...from...

PRESIDENT:

May you pay attention, please.

SENATOR EGAN:

...Senate Joint Resolution 54 and Senate Resolutions 250 and Senate Resolution 258. There is no testimony needed and to get these on the Calendar, I move to discharge the Committee on Executive.

PRESIDENT:

All right. The Senator has moved to...to discharge the Committee on Executive from further consideration of those three resolutions and asked that they be placed on the Calendar so everybody can have a chance to take a look. On the Order of Secretary's Desk Resolutions, Senator Davidson.

SENATOR DAVIDSON:

Well, on the same line, I did not get an opportunity to speak to you, Senator Egan, that you were going to do this at this time, but House Joint Resolution that has to do with the senior citizens up in Senator Welch's district also needs to be on that because we got a sixty-day extension from...from the Federal, and I need it to also be on that so we can enact it.

PRESIDENT:

All right. Would you repeat the numbers.

SENATOR EGAN:

Yes, Senate Joint Resolution 54, Senate Resolutions 250 and 258 and House Joint Resolution, I believe, 64. Correct, Senator Davidson? Yes, 64.

PRESIDENT:

All right. Senator Vadalabene.

SENATOR VADALABENE:

Yes, I would...I understood there was going to be...be a meeting of the Executive.

PRESIDENT:

All right. All right. Hold it. Hold it. Here's what we're going to do. Everybody aware now of what's going on? We're going to come back here this evening and what I suggest is everybody descend on Senator Egan who has a resolution, and we'll get back to this order of business because all...the lights are popping up all over the board. All right? And we will have a...a motion to discharge and place on the Calendar for consideration tomorrow of all those resolutions that the sponsors think are worthy of consideration. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator Egan...

PRESIDENT:

Oh, wait a minute...now...we're off that order of business, go visit with him. Senator Fawell.

SENATOR FAWELL:

A point of information, Mr. President. I pulled a bill out...out of order because of the fact that Senator Buzbee had a question on it. I was assured we would get back to it. It is..it is a DCFS bill. Are we going to get back to it?

PRESIDENT:

Absolutely. All right, Messages, Mr. Secretary. Senator Joyce, for what purpose do you arise?

SENATOR JEREMIAH JOYCE:

Oh, no, I'm...

PRESIDENT:

Oh, okay. Well, we have a number of...of requests to accede...motions that we will have to make to accede to the request of the House. With leave of the Body, we'll read them all and make one general motion 'cause they're all Conference Committee requests. Is leave granted? Leave is granted.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to recede from their Amendment No. 1 to the following bill, to-wit:

Senate Bill 83.

Further request a first Conference and the Speaker has appointed the members on the part of the House.

And we have like Messages on the following Senate bills.

Senate Bill 101.  
Senate Bill 186.  
Senate Bill 219.  
Senate Bill 244.  
Senate Bill 228.  
Senate Bill 272.  
Senate Bill...437.  
Senate Bill 440.  
Senate Bill 530.  
Senate Bill 578.  
Senate Bill 690.  
Senate Bill 702.  
Senate Bill 811.  
Senate Bill 879.  
Senate Bill 923.  
Senate Bill 1030.  
Senate Bill 1093.

Senate Bill 1199.

Senate Bill 1203.

Senate Bill 1211.

Senate Bill 1218.

Senate Bill 1226.

And Senate Bill 1269.

PRESIDENT:

All right. Senate Bills 83, 101, 186, 219, 244, 228, 272, 437, 440, 530, 578, 690, 702, 811, 879, 923, 1093, 1199, 1203, 1211, 1218, 1226 and 1269. And also 1030. Senator Bruce moves that the Senate accede to the request of the House with respect to those bills. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill with the following title:

House Bill 541 with Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14.

And I got like Messages on the following House bills with Senate amendments.

House Bill 542 with Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8 and 10.

House Bill 543 with Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24 and 26.

House Bill 888 with Senate Amendments 1, 3, 4, 5, 6, 7, 8 and 9.

606 with Senate Amendments 1, 2, 4, 5, 6 and 7.

621 with Senate Amendments 1, 2, 3, 4 and 5.

643 with Senate Amendment 2.

691 with Senate Amendment 1.  
700 with Senate Amendments 2 and 3.  
813 with Senate Amendments 1 and 2.  
963 with Senate Amendment 1.  
1045 with Senate Amendments 1 and 2.  
1054 with Senate Amendments 1 and 2.  
1182 with Senate Amendment 4.  
1337 with Senate Amendment 1.  
1355 with Senate Amendments 1 and 2.  
1382 with Senate Amendment 1.  
1470 with Senate Amendment 1.  
1704 with Senate Amendment 1.  
1751 with Senate Amendment 1.  
1789 with Senate Amendment 1.  
1805 with Senate Amendment 1.  
1812 with Senate Amendment 1.  
1835 with Senate Amendment 1.  
1838 with Senate Amendment 1.  
1864 with Senate Amendment 1.  
1941 with Senate Amendment 3.  
1978 with Senate Amendments 1 and 3.  
2000 with Senate Amendment 1.  
2014 with Senate Amendment 1.  
2058 with Senate Amendment 1.  
2201 with Senate Amendment 1.

**PRESIDENT:**

Committee reports.

**SECRETARY:**

Senator Vadalabene, Chairman of the...Committee on Executive Appointments, Veterans' Affairs and Administration to which was referred the Message from the Secretary of State on June 21st, 1983, reports the same back with the recommendation that the Senate advise and consent to the following appointments.

Senator Vadalabene, Chairman of the Committee on Executive Appointments, Veterans' Affairs and Administration to which was referred the Governor's Message to the Senate on June the 24th, 1983, reports the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President.

PRESIDENT:

Will the members please be in their seats. We have just a few more minutes of business, depending, and... Senator Smith and Dawson, please, Senator Vadalabene has been recognized.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in the Governor's Message of June 24th, 1983, and the Secretary of State's appointment set forth in the Secretary of State's Message of June 23, 1983. Mr. President, with respect to the Governor's Message of June 24th...

PRESIDENT:

All right, the motion is to resolve into Executive Session. All in favor say Aye. All opposed. The Ayes have it, we're in Executive Session. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. With respect to the Governor's Message of June 24th, 1983, I will read the salaried appointment to which the Committee on Executive Appointments, Veteran Affairs and Administration do advise and consent.

To be a member of the Illinois Commerce Commission for a

term expiring January 18, 1988, Ruth Kretschmer of Medinah.

And, Mr. President, having read the salaried appointment, will you put the question as required by our rules.

PRESIDENT:

All right. The question is, does the Senate advise and consent to the nomination just made. Discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I rise in opposition to the appointment of Ruth Kretschmer to the Commerce Commission. I think that probably Ruth Kretschmer could be appointed to any...any commission in State Government. It is not that that I am objecting to, I am objecting to the way that the Governor did this and...and that he had an opportunity to appoint a truly qualified person, and I don't name any names, I...I...but he could have found a truly qualified person and I think Ruth...Kretschmer's qualifications are that she is a good political campaigner. And I have nothing against political campaigners but we have the chairman of the Governor's...or the Governor's campaign manager is already the chairman of the Commerce Commission. I don't think we need too many more Republican campaigners on the Commerce Commission. It just seems that she is not...not have the qualifications that we need to fulfill the...the position on such a board that is in such controversy at the present time. I think that there...she has acquired some controversy of her own in...in DuPage County and I'm not going to go into that, but...but I think that we...we need a truly qualified person to represent the...the...all of the ratepayers in the State of Illinois and the...and the utilities. We are in a...in a great dilemma right now and there is very little faith among the ratepayers of this State in what...how the Commerce Commission performs and I don't think that this...this nominee will help that in the least. So I would ask for a No

vote.

PRESIDENT:

Discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I echo everything that Senator Joyce has said. We had that hearing yesterday in the Executive Committee and she's a fine lady. But, as he said, and I...echo that and repeat that the Governor had an opportunity at this time to bring somebody aboard because of the seriousness and the touchy situation with Commerce Commission at this time. And I cast a No vote because I personally felt that she is insensitive from the reports that we have and would not be a good person to serve on this board. So I ask a No vote.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have investigated Mrs. Kretschmer's qualifications and I have found that she has been a very...community minded individual who has also enjoyed public service on the DuPage County Board, Forest Preserve District and the Northeastern Illinois Planning Commission. Last night I was at dinner with our...with our Judiciary I Committee and there were members there who were Democrats who spoke very highly of Mrs. Kretschmer, who knew her very well. It seems to me that since Mrs. Schmidt has been removed from the commission it would behoove us to add a woman to the commission. And I can guarantee you, Ladies and Gentlemen, if you put a woman like Mrs. Kretschmer on this commission, she's a woman who has common sense, who has integrity, who has had a great record of community and public service, and I feel that if anyone is going to stop the over-rates of the rating...of the ratings of the various public utilities, I think Ruth Kretschmer will

be the answer. And I think it's time that we put aside our political considerations because I have supported the installation of members on that commission who are from the other party; and since you want to make it political, let's be bipartisan and let's support her on the basis of her qualifications as an individual, not as a college graduate, but as a woman who has had some college but she has basic good common sense and community sense. And I speak in favor of the nomination of Ruth Kretschmer.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, I rise, I suppose, to read from a different set of credentials and I want you to know that this is...has nothing to do with partisanship. In the first instance, my information is that this would be a terrible appointment from the standpoint of a consumer at the time when rates are going up out through the ceiling and that this simply has not been a person who shows sensitivity to that. The second charge, which is one that's unpleasant, is that affirmative...her affirmative action record has been absolutely horrible. And the fact is she's opposed affirmative action in a number of different ways in a variety of ways in DuPage County. I regret to say that, but the fact is, we don't need a person serving on a board such as this with those two deficiencies. And I would urge a No vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Newhouse...Senator Hall. Welch.

SENATOR WELCH:

Thank you, Mr. President. I attended the confirmation hearing of Mrs. Kretschmer even though I'm not a member of the committee. And it seems that Mrs. Kretschmer's qualifications boil down to about four. One, she is a woman; two, she is from DuPage County; three, she is a Republican;

and four, she apparently is a person of fine character. And this would be fine enough to be appointed a member of the Governor's Cabinet or some other lesser position. But our duty in appointing Commerce Commission members is to find somebody who knows what they're doing and is able to handle the job. A member of the Commerce Commission is one who has a great deal of responsibility. And as we've seen in the past, they have the right and the ability to make and break citizens of this State. Currently, this is a five-member board with four members who apparently are...are evenly split on rate making decisions. In attending the hearing, Mrs. Kretschmer was asked whether she favored consumers and construction work in progress and other issues, and she came down firmly with her feet planted on both sides of the issue. She would be fair to both, she'd listen to each case, which is fine; but we don't know, we have no idea what she will do when she's on the Commerce Commission. And I think that more is required of a person who...to be confirmed for the Illinois Commerce Commission than just these qualifications. I think that Mrs. Kretschmer, being appointed by the Governor at such a late date in the Session, has given us a great problem and that is we haven't been able to investigate her background, find out her stands, adequately question her and really get into what she thinks about the Commerce Commission and its functions. I don't believe in the philosophy that the Governor is to have his appointments unless there is something terribly wrong with them. I think that we have a duty here in the Legislature and we are all sworn to uphold the Constitution, to advise the Governor and consent to his appointment when consent is necessary. In this case, I don't think we should consent. It appears to me that what we have here is the second coming of Helen Schmid and I don't think that we need that on the Commerce Commission. I think that this appointment should be...referred back to the committee,

more hearings held and not have a rush to judgment on this appointment. And I would urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. Let the consumers beware that this is indicative of the Governor's total disdain of the importance of the Illinois Commerce Commission. I'm going to support this lady, I want you to understand that right now, but this will lead us more towards the legislation that I fought for for years, an elected Commerce Commission. Someone said that it shouldn't be political but what really isn't political today, nothing. The Governor is on trial here, he will live or fall by the way she performs. And I told her yesterday, as vice-chairman of this commission...committee, that whatever she does will be watched closely, her performance will be watched closely. We will watch closely, I hope that the public watches closely and I hope the members of that press box watch closely at her performance. I'm going to vote Aye because I have no problems with her as a person. None of us came into the General Assembly initially with experience. She indicated that she is a mother and a grandmother, she's a workaholic and she seems to be highly intelligent and so I'm going to give her a chance which I think she ought to have. But, let's look at the way she performs and let's remember who put her there.

PRESIDING OFFICER: (SENATOR BRUCE)

I have Senators Chew, Bloom, Buzbee and Degnan. Senator Chew.

SENATOR CHEW:

Mr. President and members of the Senate. I recall when Lyndon Baines Johnson was the Congressman from a district in Texas, he represented his district, his horizon did not pass the borders. And I remember when he was a Senator of Texas

and he represented Texas and there were a lot of folk across this country who felt that Lyndon Baines Johnson was a mediocre kind of Senator from Texas and Congressman from Texas. But when he ascended to the Presidency of the United States, the same persons that were castigating him as a Congressman and as a Senator gained more under his presidency in the area of social programs than any other president that has ever sat there. Sometimes an office will make an individual instead of an individual making an office. I said in committee yesterday that I thought this young lady should have a chance to serve on this commission, my mind has not changed. I have never, since I've been in this Senate, refused to confirm a Governor's appointee. Never in my career have I refused to confirm an appointee of the Governor, and when I sat in the city council I did not refuse to confirm those appointees of the mayor. Now, on the second go around, it's entirely different. If the job has not been done, then we look at the record. As of this time, she has not made a record as a State-wide officer. Her duties will be in the State of Illinois, not necessarily DuPage County. And for those of us to attempt to say that this individual will not serve the commission well, we don't know that. But we do know we have an opportunity here to either give her an opportunity to serve or not to give it to her. I think from her statements yesterday and hope that she makes a good commissioner. Now there were some people appearing against her confirmation yesterday. That's normal, that's community participation, but I was not convinced at all that those persons that were in opposition to her candidacy made any substantial case that would change the minds of those of us that must vote on her confirmation. It's so easy for us to look at one and find all of their bad things that have happened, but do we search that far to find some good in an individual? The answer is, no. I said yesterday that I make no apology

for voting for her confirmation. And, yes, I might part with some of my colleagues but that's the Democratic way of life. My mother has always told me if two people always agree, one is not needed. And I make no apology today for casting an Aye vote. And any subsequent appointments that a Governor makes or wherever I'm serving, I believe I have an obligation to confirm that appointee and then let them establish a record. And if the record is not sufficient to me, then I have a chance to come back when that appointment is up for confirmation again. I gladly cast an Aye vote.

END OF REEL

REEL #7

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom. Senator Buzbee. Senator Buzbee.

SENATOR BUZBEE:

I will be very brief. I think this will be the second time since Governor Thompson has been the Governor that I have voted No on one of his appointees. The last time I voted No on one of his appointees, the person it seemed to me was almost a carbon copy of the person we have in front of us now, and that was Mrs. Schmid. I have no problem whatsoever with a Republican Governor appointing Republicans to vacancies, I applaud that, I believe in that system. If there's a Democratic Governor, I hope that he certainly will appoint Democrats. If Mrs. Kretschmer were up for confirmation for any other commission or cabinet post, I would vote Aye. This is one where four and a half long years, there aren't enough people there to make up for the mistakes that she might make in her on-the-job training. In this Body there are fifty-nine of us, and hopefully, as we're breaking in and we're learning our trade as we come in fresh and...and new, if we make mistakes some of our colleagues can make up for them or in the House of Representatives we see that happen quite often there; but in her case, there are only five. And any mistake that she makes in her on-the-job training may not be...it may not be possible to overcome that. I would only point out to you that the world's greatest newspaper, who has, I believe, and has had ever since its inception a strong Republican bias, pointed out in an editorial concerning this appointee just in the last day or two that they felt that the appointment was so political, at the eleventh hour by the Governor, a lady who had no apparent qualifications to sit on this particular commission and they were strongly opposed to

it. Now that's one person or one editorial board's opinion, and it certainly should not make us decide which way we're going to go. But in this particular case, I happen to think they're right. Had the Governor appointed her to anything else, I would have voted for her confirmation. In this case, I would like to have somebody with some knowledge and some experience in this field. It is simply way too complicated to let it be run by amateurs and I'm going to vote No.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan. Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Excuse me. I recall the world's greatest newspaper with a headline that "Dewey Wins." I think this is healthy, that...I'm getting tired of...of 59 to nothing confirmations, and I think that you...as Minority Spokesman of the Executive Appointments Committee, I just want to relate to you that she was grilled extensively and received a 13 to 4 vote, and I think that you'll find she'll hit the ground running and I urge your favorable consideration of this. Thank you.

PRESIDING OFFICER:

Senator Bloom.

SENATOR BLOOM:

Well, thank you, I wasn't going to speak because I think Senator Chew did such a good job, but some of the prior speakers have raised some false issues, especially the one about lack of qualifications. I can recall in '77 when the consumer groups were really strongly pushing for an individual to be appointed because apparently that individual had the background and so on and so forth, and the Governor nominated that individual and the individual then turned out to be a "disappointment" to the consumer groups. Why? I think it answers one of the questions raised by the prior speaker...and...and I think it's good, it's healthy, it's

fine...great to have a woman and more...we ought to have more women in State Government and in public life, but it goes beyond that and that is...one of the prior speakers criticized the nominee for saying that she would be fair to both sides. Well, that's what a Commerce Commission is about, it's a quasi-judicial body, you weigh the evidence and you try and do what's best for everyone. And as a practical matter, the question of...of prior "experience" sometimes can be very misleading as it has in the past. Thank you. I...I see no reason why we should not put fifty-nine votes on the board for her.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? All right. The question is, does the Senate advise and consent to the nomination just made. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 11, 1 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank...

PRESIDING OFFICER: (SENATOR BRUCE)

The...the gremlin is around. Go ahead.

SENATOR VADALABENE:

...yes, thank you, Mr. President and members of the Senate. With respect to the Governor's Message of June 24th, 1983, I will read the salaried appointments to which the Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent. And after reading those appointments, I intend to ask leave to consider the salaried appointments on one roll call unless any Senator has objection to any particular appoint-

ment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

Mr. President, Senator Jones was lighted up on the board. I do not believe he was on the Floor. He may regret that vote and I would just want to put into the record that I did not see him...pull the switch and I don't believe he did. That's all right. Thank you. All right.

PRESIDING OFFICER: (SENATOR BRUCE)

...all right. Senator Vadalabene...and Senator Jones is on the Floor. He's here. Senator Vadalabene.

SENATOR VADALABENE:

Thank you, excuse me. To be Assistant Director of the Department of Conservation for a term expiring January 21, 1985, James C. Helfrich of Hammond.

To be Chairman and member of the Civil Service Commission for a term expiring March 1, 1987, J. J. Moffat of Springfield.

To be a Judge on the Court of Claims for a term expiring January 16, 1989, Leo F. Poch of Chicago.

To be Chairman and member of the Pollution Control Board for a term expiring July 1, 1985, Jacob D. Dumelle of Oak Park.

And to be a member of the Pollution Control Board for a term expiring July 1, 1985, J. Theodore Meyer of Chicago.

And to be a member of the Board of Review for a term expiring January 21, 1985, Peter J. Miller of Addison.

To be a Director of the Illinois State Toll Highway Authority for a term expiring May 1st, 1987, John P. Garrow of Wheaton.

And to be a Director of the Illinois State Toll Highway Authority for a term expiring May 1st, 1987, Frank A. Gesualdo of Northbrook.

And to be a Director of the Illinois State Toll Highway Authority for a term expiring May 1st, 1987, David L. Martenson of Loves Park.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there objection to the procedure outlined by Senator Vadalabene to consider these appointments on one roll call? Hearing no objection, that will be the order. Senator Vadalabene.

SENATOR VADALABENE:

Mr. President, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, does the Senate advise and consent to the nominations just made. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, 1 voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. With respect to the Governor's Message of June 24th, 1983, I will read the unsalaried appointments to which the Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do and advise. And after reading those appointments, I intend to ask leave to consider all of the unsalaried appointments on one roll call unless any Senator has objection to any particular appointment.

To be a member of the Capital Development Board for a

term expiring January 20, 1986, G. Raymond Becker of Peoria.

To be a member of the Capital Development Board for a term expiring January 20, 1986, Bernard B. Birger of Collinsville.

And to be a member of the Capital Development Board for a term expiring January 19, 1987, Daryl F. Grisham of Chicago.

And to be a member of the Capital Development Board for a term expiring January 19, 1987, George B. Peters of Aurora.

And to be a member of the Dangerous Drugs Commission for a term expiring January 21, 1985, Dr. Joseph H. Skow of Winnetka.

To be Chairman and member of the Illinois Community College Board for a term expiring June 30, 1989, William S. Campbell of Ashland.

To be a member of the Illinois Community College Board for a term expiring June 30, 1989, Toussaint L. Hale of Chicago.

To be a member of the Illinois Community College Board for a term expiring June 30, 1989, Manuela Ramires of Glenview.

To be a member of the State Board of Education for a term expiring January 16, 1989, Hugh R. Brown of Evanston.

And to be a member of the State Board of Education for a term expiring January 16, 1989, Peter R. Monahan of Northfield.

And to be a member of the State Board of Education for a term expiring January 16, 1989, Dorothy J. O'Neill of Champaign.

And to be a member of the State Board of Education for a term expiring January 16, 1989, Frederick B. Rabenstein of Ottawa.

And to be a member of the Illinois Board of Higher Education for a term expiring January 31, 1989, Rey W. Brune of Moline.

And to be a member of the Illinois Board of Higher Education for a term expiring January 31, 1989, John G. Gilbert of Carbondale.

And to be a member of the Illinois Board of Higher Education for a term expiring January 31, 1989, Robert M. Powers of Decatur.

And to be a member of the Illinois Board of Higher Education for a term expiring January 31, 1989, Dr. Diego Redondo, M. D. of Deerfield.

And to be a member of the Illinois Farm Development Authority for a term expiring January 19, 1987, Patrick R. Scates of Shawneetown.

And to be a member of the Illinois Farm Development Authority for a term expiring January 19, 1987, Robert F. Nickel of Concord.

And to be a member of the Board of Governors of State Colleges and Universities for a term expiring January 19, 1987, Robert J. Ruiz of Chicago.

And to be a member of the Board of Regents for a term expiring January 16, 1989, Carol Burns of Peoria.

And to be a member of the Board of Regents for a term expiring January 16, 1989, D. Brewster Parker of Lincoln.

And to be a member of the Board of Regents for a term expiring January 16, 1989, Harry L. Wellbank of Crystal Lake.

And to be a member of the Illinois Housing Development Authority for a term expiring January 12, 1987, John J. Viera of Des Plaines.

And to be a member of the Illinois Housing Development Authority for a term expiring January 12, 1987, Eugene P. Moats of Chicago.

And to be a member of the Metropolitan Fair and Exposition Board for a term expiring May 31, 1988, Leon Wolin of Lincolnwood.

And to be a member of the Illinois State Scholarship

Commission for a term expiring June 30, 1989, Odell Hicks of Chicago.

And to be a member of the Illinois State Scholarship Commission for a term expiring June 30, 1989, Maxine A. Wortham of Peoria.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment.

PRESIDING OFFICER: (SENATOR BRUCE)

Heard the motion by Senator Vadalabene, he is seeking leave to handle these appointments on one roll call unless there is objection. Is there objection? Hearing none, that will be the order. For what purpose does Senator Mahar arise?

SENATOR MAHAR:

Yes, thank you, Mr. President and members of the Senate. I'd like to cast a No vote on Mr. John J. Viera as a protest for his insensitivity to the work that he's done in the district that I represent.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar, the...the Secretary informs me, and it is certainly appropriate, we will have to take his appointment on a separate roll call. Senator Mahar is that...you wish to do that? That's the only way we could really...

SENATOR MAHAR:

I want to cast a No vote. How I do it, I don't care.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Then...then, Senator Vadalabene, you have sought leave and we...you have not received leave, there is protest. We will handle the one appointment on a separate roll call. Senator Mahar, so that we get our records straight, can you name the gentleman and...and the office.

SENATOR MAHAR:

Yes, it's Mr. John J. Viera, member of the Illinois Housing Development Authority from Des Plaines whose term expires on 1-12-87, he's a reappointment. And as I said, I want to cast a No vote as a tribute to the kind of work he's done.

PRESIDING OFFICER: (SENATOR BRUCE)

Mr. Secretary, except for Mr. John...John J. Viera, the nominations as named by Senator Vadalabene on one roll call, these are all except John J. Viera. The question is, does the Senate...Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

I want to be...recorded the same way as...as Mahar is.

PRESIDING OFFICER: (SENATOR BRUCE)

That will be the next roll call. The...the appointment...the appointments before the Body are all the appointments named by Senator Vadalabene except for the objection of Senator Mahar to Mr. John J. Viera. So the question is, on...does the Senate advise and consent to the nominations just made. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. With respect to the Governor's Message of June 24th, 1983, I will read the unsalaried appointment to which the Committee on Executive Appointments, Veterans' Affairs and Administration do advise and consent.

To be a member of the Illinois Housing Development Authority for a term expiring January 12, 1987, John J. Viera of Des Plaines.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, does the Senate advise and consent to the nomination just made. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 13, 6 voting Present. The majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that the Senate arise from Executive...hold it...hold it, we got one more, Secretary of State.

PRESIDING OFFICER: (SENATOR BRUCE)

Proceed, Senator Vadalabene.

SENATOR VADALABENE:

Yes, I had to go out of line there a minute, we had our cards all fouled up on that single vote. Give me time. You broke the trend. Mr. President, with respect to the Secretary of State's Message of June 21st, 1983, I will read the salaried appointment to which the Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be a member of the Merit Commission for the Office of the Secretary of the State for a term expiring June 30, 1989, Mardyth E. Pollard of Lombard.

And, Mr. President, having read the salaried appointment, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, does the Senate advise and consent to the nomination just made. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays

are none, none voting Present. A majority of Senators elected concurring by record vote, the Senate doesn't...does advise and consent to the nomination just made. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we arise from Executive Session. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate does arise from Executive Session. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen, on a point of personal privilege. One of the candidates for appointment is here today, a most knowledgeable man, past Senator and Representative, Peter Miller. And he's in the President's Gallery, let's give him a good hand, we're glad.

PRESIDING OFFICER: (SENATOR BRUCE)

Will our guests in the gallery please rise. Senator Lemke.

SENATOR LEMKE:

Just a point of information for the Body. Tomorrow I am going to call Senate Bill 520 which is a new revisory bill of the abortion regulation in Illinois, and I don't want to be accused of passing a bill that nobody has read and the amendment has sat on your desk for two days now. Tomorrow it will be heard and I all want you to be knowledgeable that what is in there. And I don't want to be accused in the Supreme Court of not...relaying the messages that we did not give this due consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Any further business? Message from the House.

SECRETARY:

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

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

House Joint Resolution 67.

PRESIDING OFFICER: (SENATOR BRUCE)

Consent Calendar. All right. Any further business to come before the Senate? Senator Marovitz.

SENATOR MAROVITZ:

Just while everybody leaves for dinner, it has been circulated among all of your offices an announcement, the Legislators' Night at White Sox Park is on August 4th and it's against the Detroit Tigers, it's a Thursday night. I'd like you to call my Secretary if you want to come. The tickets are eighteen dollars, includes ribs and chicken dinner, beer and wine, dinner with the ballplayers, just let my Secretary know.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

We'll be standing in Recess until the hour of seven-thirty.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to Recess until seven-thirty. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate stands in Recess till seven-thirty and we will start back on the Order of...Nonconcurrence, Secretary's Desk.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR BRUCE)

The hour of seven-thirty having come and gone, the Senate will come to order. We are at the Order of Secretary's Desk, Nonconcurrency. We will go down the call starting with House Bill 114 on page 23 of your Calendar. Your motion will either be to recede or refuse to recede which will be final passage. House Bill 114, Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I refuse to recede and request a Conference Committee to be appointed... (Machine cut-off)... 114.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is we refuse to recede from Senate... Senate Amendment No. 1 to House Bill 114 and that a Committee of Conference be appointed. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it and the Senate refuses to recede from Senate Amendment No. 1. The Secretary shall so inform the House. House Bill... 127, Senator Lenke. Is Senator Lenke on the Floor? House Bill 134, Senator Lenke. 127 is occupational disease.

SENATOR LEMKE:

...I mean, I'm sorry, refuse to recede.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. On... on 127, Senator?

SENATOR LEMKE:

Yeah, on... on those revisory bills. Wait... no wait, no we do recede. That's right. We do... what this is is 127. This is a duplicate amendment, the House told us to put it in on when they already put the amendment on so, therefore, we don't need the Senate amendment. So we... we will recede from the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator Lenke has moved to recede from Senate Amendment No. 1 to House Bill 127. Is there discussion of

HB 147  
non-consequence

that motion? Discussion? The question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 127. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Senator Egan. Have all voted who wish? Have all voted who wish? All right. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does recede from Senate Amendment No. 1 to House Bill 127, and the bill having received the required constitutional majority is declared passed. House Bill 134, Senator Lemke.

SENATOR LEMKE:

I wish to recede from Senate Amendment No. 1 which was put on by Senator Carroll and it...it's a substantive amendment. These are revisory bills and we made an agreement when we took all these bills that we would not put substantive amendments...amendments on, and Senator Rock and Senator Carroll agree and we will recede from this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to recede. Is there discussion? Discussion? The question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 134. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does recede from Senate Amendment No. 1, and the bill having received the required constitutional majority is declared passed. House Bill 147, Senator Lemke.

SENATOR LEMKE:

Okay, I...will recede from House Amendment 147. This...this language that we put on is substantive and we made agreement that these are revisory bills and there would be no substantive amendments put on, therefore, I move to recede.

NO 157  
Recess

PRESIDING OFFICER: (SENATOR BRUCE)

The Senator has moved to recede from Senate Amendment No. 1. On the motion, is there discussion? Discussion? The question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 147. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does recede from Senate Amendment No. 1, and House Bill 147 having received the required constitutional majority is declared passed. House Bill 157, Senator Lemke.

SENATOR LEMKE:

...this is another revisory bill, we put a word change on there. We advised that changing the word from "or" to...to "of" was a substantive change, and we agree that these bills are supposed to be in...revisory bills and not substantive bills, so I ask to recede.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Egan.

SENATOR EGAN:

Yeah, how much did it cost?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lenke.

SENATOR LEMKE:

Cost what? This is a law revisory bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

How long have they worked on it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lenke.

SENATOR LEMKE:

How long did they work on the revisory bill? I don't

know.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

Then you don't know how much it cost. My question is, how much did it cost from either to or? I...you know...there...there...there...they've been revising the law, they screwed up the Civil Practice Act in many ways. I...what I'd like to know is how much did this cost? This...this...this...this is a recession from an amendment that cost some money. I just want to know how much.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

Senator Egan, our staff put this amendment on, it made a substantive change. I...we were told by Senator Bock and that to...not to make any substantive changes to these bills. This was the agreement, I think, amongst Senator Rock, Senator Philip, myself, the House sponsor and the...and the leadership that these would be purely revisory bills and they requested to recede from the amendment, so these bills can become law and we can get rid of these things and not be pestered with them again.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

I'm going to insist on knowing how much it cost...and...and...and neither do they.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 157. Those in favor vote Aye. Those opposed vote Nay. The voting is open. (Machine cutoff)...voted who wish? Have all voted who wish? Take the record. On that question,

NB 487  
Refuse to Recede

the Ayes are 57, the Nays are none, none voting Present. The Senate does recede from Senate Amendment No. 1 to House Bill 157, and the bill having received the required constitutional majority is declared passed. House Bill 186, Senator Hall. Senator Hall is recognized for a motion.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to nonconcur on House...186...House Bill 186...and ask that a Conference Committee...be...no, I refuse to recede.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we refuse to recede from Senate Amendment No. 1 and that a Committee of Conference be appointed. On the motion, discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede and asks that a Committee of Conference be appointed. House Bill 380, Senator...Jeremiah Joyce. Is Senator Jeremiah Joyce on the Floor? House Bill 384, Senator Keats.

SENATOR KEATS:

After a conference with the House sponsor of the bill, he has requested that the Senate refuse to recede from our amendment and to request a Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to refuse to recede. Is there discussion of the motion? Discussion? On the motion to refuse to recede, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede and the Secretary shall so inform the House. House Bill 406, Senator Marovitz. House Bill 441, Senator Watson. House Bill 487, Senator Vadalabene. Senator Vadalabene is recognized for a motion.

SENATOR VADALABENE:

Yes, Mr. President and members of the Senate, I move to recede from Senate Amendment No. 1 and Senate Amendment No. 2 to House Bill 487 which would have give preference to a widow

with any minor children dependent upon support for retraining or reemployment in preference to veterans. And Amendment No. 1 which would have provided that no credit for seniority in service be given under this Act unless the veterans...had served in U. S. Armed Forces or while...being a U. S. citizen served in the armed forces of our allies during World War I, World War II, the Korean Conflict and the Vietnamese Conflict, and I move to recede from Senate Amendments No. 1 and 2.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The motion is to recede. Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. What will be the position then of...when you recede from amendments which say that the veterans must have served in one of the wars? What position will that put the bill in then?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, would you restate that, Senator Mahar, we didn't hear.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall the Senate recede from Senate Amendments No. 1 and 2 to House Bill 487. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 3 voting Present. The Senate does recede from Senate Amendment No...Senate Amendment Nos. 1 and 2 to House Bill 487, and the bill having received the required constitutional majority is declared passed. Is there leave to return to 488 at a later time? Leave...leave is granted. House Bill 514, Senator Nedza. Senator Nedza is recognized for a motion.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I refuse to recede from Senate Amendments No. 1 and 2 and request a Committee on Conference to be appointed.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we refuse to recede. Discussion of the motion? Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendments No. 1 and 2 and that a Committee of Conference be appointed. House Bill 516, Senator Marovitz. House Bill...558, Senator Maitland. Senator Maitland is recognized for a motion.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. I move the Senate refuse to recede from Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we refuse to recede. Is there discussion of the motion? Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede and asks for a Committee of Conference. House Bill 584, Senator D'Arco. Senator D'Arco, you are recognized.

SENATOR D'ARCO:

I...I recommend we refuse to recede from Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to refuse to recede. Discussion? Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it and the Senate refuses to...recede from Senate Amendment No. 1 and asks that a Committee of Conference be appointed. House Bill 687, Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. I...I move that the Senate refuse to recede from Amendments 1, 2 and 3 and ask for a Committee of Conference.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is we refuse to recede. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it and the Senate refuses to recede from Senate Amendments 1, 2 and 3 to House Bill 687 and a Committee of Conference be appointed. House Bill 714, Senator Coffey. Senator Coffey is recognized.

SENATOR COFFEY:

Thank you, Mr. President. I move that the Senate refuses to...refuse to recede to Amendment No. 1 to House Bill 714.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is we refuse to recede from Senate Amendment No. 1. Discussion of the motion? Discussion of the motion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 1 and asks that a Committee of Conference be appointed. House Bill 798, Senator Vadalabene. Senator Vadalabene on the Floor? Can we have a little order, please. Senator Vadalabene, you are recognized for a motion.

SENATOR VADALABENE:

Yes, I motion...I refuse to recede and ask for a Conference Committee on 798.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene has moved that we refuse to recede from our Senate Amendment No. 2. Discussion of the motion? Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 2 and asks that a Conference Committee be appointed. House Bill 921, Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I move that the Senate refuse to recede from House Amendment...I'm sorry, from Senate Amendment No. 1 to House Bill 921 and request a Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

H.S. 1108  
Con. Comm

The motion is we refuse to recede from Senate Amendment No. 1 to House Bill 921. On the motion, discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 1 and asks that a Committee of Conference be appointed. House Bill 1108, Senator Welch is recognized.

SENATOR WELCH:

Thank you, Mr. President. At this time I would like to move to recede from the Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. I...it's my understanding that if the Senate refuses to recede from this amendment that all of the monies that are collected in the hazardous waste disposal...in the Inspection Fund would go into the General Revenue Fund instead of being earmarked to go into the...Environmental Protection Permit and Inspection Fund by which the General Assembly could...or the monies would be used for environmental purposes. Is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

No, it is not. The section that the amendment amended concerns a schedule of permit and inspection fees for waste disposal. It goes on to state...the cost of the agencies...what it did was it added the word, "adequately cover all cost to the State for the agency's permit" as opposed to, "adequately cover all cost to the agencies for its permit and inspection activities." So it was...it was basically a technical amendment in...in that portion.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, then what happens to all the money that is collected, does it not go in the General Revenue Fund?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

We are going to have an amendment to another bill that is currently on this list which will take care of the added section in this amendment which creates the State...in the State Treasury a special fund to be known as the Environmental Protection Permit and...Inspection Fund, that will be added to another bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

Representative Giglio indicated to me that it was necessary that this amendment stay on so that these monies could be spent...collected and...and not really spend in the General...for the monies not to go into the General Revenue Fund and...does he have a position on this that you know of in the...in this House bill?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

...Representative Giglio was in here, he did not tell me a position; however,...or Senator Zito has just informed me that Representative Giglio would like to...agrees with my motion to recede.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. In the haste of trying to find the bill and the amendment, my question to the Senate sponsor, who is that? Welch? Thank you, Senator Welch. My

question is...your motion is to recede or not to recede?

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to recede.

SENATOR GROTBERG:

Then to the motion, Mr. President. This creates jobs. Senate Amendment No. 1 allows this curious advisory council, whatever they do, to hire an executive director and staff, not defined. Second, it creates a special fund known as the Environmental Protection Permit and Inspection Fund into which all the permit fees will go to generate jobs and positions and all of the stuff that goes with that. It's a bad amendment. I would ask the sponsor, from the bottom...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg, the motion is to recede from the amendment. That is to take it off the bill. Senator Grotberg.

SENATOR GROTBERG:

That...if that is...I'm trying...quickly trying to get the recede-nonrecede picture together, Senator. If your motion prevails, this amendment is gone? Thank you, very much and I...retract...everything I said is true, correct? Now let's...whatever it takes to get rid of the amendment, would you tell us how to vote, that's my biggest question.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Just...just remember, gentlemen, on House bills on which we have attached amendments, the motion to recede will remove the Senate amendment. A refusal to recede will leave the bill in its form and it will go back in a Conference Committee, and the motion in this regard is that we recede from Senate Amendment No. 1. Discussion of the motion? Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. In my conversations with the House sponsor, Representative Giglio, he would like to go to conference to straighten some of the questions

out, and I would urge a No vote on this motion.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

Well, if...if we vote to recede, then that's final passage, but if this motion fails and the...I mean, what happens then, it goes to conference, right?

PRESIDING OFFICER: (SENATOR BRUCE)

If the motion fails, it will be a refusal to recede and we will inform the House of our action and ask that a Committee of Conference be appointed. Discussion? Senator Welch may close.

SENATOR WELCH:

Thank you, Mr. President. I would urge a favorable Aye vote on this motion.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 1108. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 16, none voting Present. The Senate does recede from Senate Amendment No. 1 to House Bill 1108, and the bill having received the required constitutional majority is declared passed. Is Senator Carroll on the Floor? All right. Is there leave...Senator Savickas, on 1117, the motion should be that we refuse to recede. Senator Carroll is not on the Floor. Would you make the motion?

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I would move that the Senate refuse to recede from Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? Those in favor say

HB 1121  
conurrence

Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 1. The Secretary shall so inform the House. House Bill 1121, Senator Egan.

SENATOR EGAN:

My motion is to recede from House Amendment No. 1 to House Bill 1121. The amendment...no, no, I move to recede so that it goes to the Governor and then the amendment is a...a very, very technical one which involves the Medical Practice Act and it...the definition thereunder with regard to this bill. And I've had a long and lengthy conversation and...with everyone involved, and I think that what we should do is recede, send it to the Governor, and then in the fall we're going to take care of it.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The motion is to recede. Senator Bloom.

SENATOR BLOOM:

Well, then this would...this would restore the ambiguity that was the genesis of the amendment. You know, this... 'cause as the bill came over to us, it was overly broad.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

No, there is no ambiguity, it's...it's...it's the matter of defining our terms and it's not an ambiguity, it's a matter of fixing bayonets and getting the right thing done.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 1121. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 9, 1 voting Present. The Senate does recede from Senate

Amendment No. 1 to House Bill 1121, and the...and the bill having received the required constitutional majority is declared passed. House Bill 1143, Senator Maitland. Senator Maitland is recognized for a motion.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. I move the Senate refuse to recede from Senate Amendment No. 1, House Bill 1143 and a Committee of Conference be appointed.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to refuse to recede. Discussion of the motion? Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 1 and asks that a Committee of Conference be appointed. Is Senator Berman on the Floor? Senator Berman on 1178, would you make the motion that we refuse to recede.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that we refuse to recede from Senate Amendment No. 2 on House Bill 1178.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is we refuse to recede. On the motion, discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 2. House Bill 1192, Senator Bloom. House Bill 1205, Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I move the Senate refuse to recede from Senate Amendment No. 1 to House Bill 1205.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to refuse to recede. Discussion? Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 1 and asks that a Committee of Conference be appointed. House Bill 1249, Senator DeAngelis. Senator DeAngelis on the

HB 1261  
Refuse to  
Recede

Floor? House Bill...Senator DeAngelis. Personnel Code and familyresponsibility, leave of absence. Senator DeAngelis is recognized.

SENATOR DeANGELIS:

I move to refuse to recede from...what amendment is that?

PRESIDING OFFICER: (SENATOR BRUCE)

No. 1. The motion is we refuse to...

SENATOR DeANGELIS:

Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

...that we refuse to recede from Senate Amendment No. 1. Discussion of the motion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 1 and asks that a Committee of Conference be appointed. House Bill 1257, Senator Welch. Senator Welch is recognized for a motion.

SENATOR WELCH:

Thank you, Mr. President. At this time, I would move to refuse to recede from this amendment and request the appointment of a Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we refuse to recede. Discussion? Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it and the Senate refuses to recede from Senate Amendment No. 1 and asks that a Conference Committee be appointed. House Bill 1261, Senator Grotberg. Senator Grotberg is recognized.

SENATOR GROTBORG:

Thank you, Mr. President. I move that the Senate do recede from Senate Amendment No. 2...No. 2 to House Bill 1261. The Aurora problem has been taken care of in another bill. I would move that we recede.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? The motion is to recede. Discussion? The

HB 1264  
motion

question is, shall the Senate recede from Senate Amendment No. 2 to House Bill 1261. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does recede from Senate Amendment No. 2 to House Bill 1261, and the bill having received the required constitutional majority is declared passed. Would about three or four Pages come to the Secretary's Desk, please. House Bill 1264, Senator Watson. Senator Watson is recognized for a motion.

SENATOR WATSON:

Thank you, Mr. President. I move that we refuse to recede from Senate Amendment No. 3 to House Bill 1264 and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to refuse to recede from Senate Amendment No. 3. Discussion of the motion? Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 3 and asks that a Committee of Conference be appointed. House Bill 1293, Senator Marovitz. Senator Marovitz is recognized.

SENATOR MAROVITZ:

I move that the Senate...refuse to recede from House Amendment No. 1 to House Bill 1293...I think it's Senate Amendment No. 1, sorry.

PRESIDING OFFICER: (SENATOR BRUCE)

Right. Discussion of the motion? It is to refuse to recede. Discussion? Discussion? On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 1 and asks that a Conference Committee be appointed. House Bill 1399, Senator Lemke.

SENATOR LEMKE:

Yeah, we refuse to recede from the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to refuse to recede from Senate Amendments 1 and 2. On the motion, discussion? Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendments 1 and 2 and asks that a Committee of Conference be appointed. House Bill 1925, Senator Kent. Senator Kent is recognized.

SENATOR KENT:

Thank you, Mr. President and members of the Senate. I would move that the Senate recede from Amendment No. 1. It was a technical amendment and both agencies involved in this say that it's not needed.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we recede from Senate Amendment No. 1. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Just basically, what is it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kent.

SENATOR KENT:

It does what it says in the Calendar and it's a change of lands, and the amendment said it was a curve line instead of a straight line and that's what we're removing.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall the Senate...recede from Senate Amendment No. 1 to House Bill 1925. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Ayes are 57, no Nays, no voting Present. The Senate does recede from Senate Amendment No. 1 to House Bill 1925, and the bill having received the required constitu-

tional majority is declared passed. House Bill 1955, Senator Kustra. Senator Kustra is recognized for a motion.

SENATOR KUSTRA:

Thank you, Mr. President. I move that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 1955 and that a Conference Committee be formed.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is we refuse to recede. Discussion of the motion? Those in favor say Aye. Opposed Nay. The Ayes have it and the Senate refuses to recede from Senate Amendment No. 1 and asks that a Committee of Conference be appointed. If I might have the attention of the Body. We have just placed upon your desks the next Calendar that we will proceed to right after the next two bills on page 27. So if you have a bill on nonconcurrency, we will proceed from this Calendar right on to the Supplemental Calendar. Supplemental Calendar No. 1 is a white sheet, should have just been placed on your desk. All right. No, it is not pink; it is a white, it's a...all right, we're missing a page. Evidentially two things have happened; we are a little short and we will get additional Calendars printed and you should check to see whether you have four pages. The Supplemental Calendar is four pages long. So if you...House Bill 2055, Senator Grotberg is recognized for a motion.

SENATOR GROTBERG:

Thank you, Mr. President. My handler is taking care of me here. My many handlers. I move that the Senate refuse to recede from House Amendment 1...Senate Amendment 1. I...from Senate Amendment 1 to House Bill 2055 and that a conference be put together.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? Senator D'Arco.

SENATOR D'ARCO:

Oh, no, no.

*HB 1470  
Refuse to Recede*

PRESIDING OFFICER: (SENATOR BRUCE)

No. The motion is to refuse to recede. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it and the Senate refuses to recede from Senate Amendment No. 1 and asks that a Committee of Conference be appointed. For what purpose does Senator D'Arco arise?

SENATOR D'ARCO:

Mr. President, I would move at this time that I would replace Senator Holmberg as principal sponsor of House Bill 547...I mean, 647.

PRESIDING OFFICER: (SENATOR BRUCE)

It's House Bill 647?

SENATOR D'ARCO:

Yes, it's House Bill 647.

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please. All right. The motion is by...Senator D'Arco has sought leave to change his sponsorship of House Bill 647 from Senator Holmberg to himself with consent of both parties. Is there leave? Leave is granted. House Bill 2078, Senator Rigney is recognized for a motion.

SENATOR RIGNEY:

Move that we do not recede.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we refuse to recede from House Amendment...from Senate Amendment No. 1 to House Bill 2078. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it and the Senate refuses to recede from Senate Amendment No. 1. All right, we will now proceed to the first Supplemental Calendar. If I might have your attention, there are three bills that we will take out of order so that we might get them into a Conference Committee. If you will turn to page 3 on your Supplemental Calendar. Page 3 is House Bill 1470, the middle of the page. Senator Davidson is

recognized for a motion.

SENATOR DAVIDSON:

I thought I would give my leaders a heart attack. I started to move to recede, but I will move not to recede and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson has moved to refuse to recede from Senate Amendment No. 1 to House Bill 1470. On the motion to refuse, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 1 and asks that a Conference Committee be appointed. House Bill 1805, Senator Degnan. For what purpose does Senator Geo-Karis arise?

SENATOR GEO-KARIS:

I have...I...I just want a...a point of information. I have Senate Calendar Supplemental 1 and I have Senate Bills Concurrence and House Bills Supplemental Calendar 1, now which one are we on?

PRESIDING OFFICER: (SENATOR BRUCE)

We are on...we are on Supplemental Calendar 1.

SENATOR GEO-KARIS:

The white one, is that right?

PRESIDING OFFICER: (SENATOR BRUCE)

The white one. The yellow one, Senator, is also operative. It...it also deals with concurrences and nonconcurrences and a description of each of those that should track with the Calendar. All right...1805, Senator Degnan is recognized for a motion.

SENATOR DEGNAN:

Thank you, Mr. President. I would move that the Senate recede and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we refuse to recede and ask for a Committee of Conference. On the motion to refuse to recede,

those in favor say Aye. Opposed Nay. The Ayes have it and the Senate refuses to recede from Senate Amendment No. 1 and asks that a Conference Committee be appointed. If you will turn to page 4 of your Calendar, page 4 is House Bill 1978 under the Senate sponsorship of Senator Coffey. Senator Coffey, I believe you wish to refuse to recede? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I move that the Senate refuse to recede from Amendment No. 1 and 3.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we refuse to recede from Senate Amendments 1 and 3 to House Bill 1978. On the motion, is there discussion? Those in favor say Aye. Opposed Nay. The Ayes have it and the Senate refuses to recede and the Secretary shall so inform the House and ask for a Committee of Conference. We will now return to page 1 of your first Supplemental Calendar. Those three bills needed to get out of here so that we might get out of here earlier this evening. House Bill 26, Senator Egan is recognized for a motion.

END OF REEL

REEL #8

SENATOR EGAN:

Motion, Mr. President and members of the Senate, is to refuse to recede from Amendment No. 1 to House Bill 26.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is that we refuse to recede from Senate Amendment No. 1. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede and asks for a...Conference Committee. House Bill 104, Senator Zito is recognized for a motion.

SENATOR ZITO:

Thank you, Mr. President and members. I would move that the Senate refuse to recede from Amendment No. 1 to House Bill 104 and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we refuse to recede from Senate Amendment No. 1 to House Bill 104. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede and asks for a Committee of Conference. House Bill 112, Senator Marovitz. Senator Marovitz, Building Code violation.

SENATOR MAROVITZ:

Yes, I would move that the Senate refuse to recede and that a Conference Committee be set up.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is that we refuse to recede. On the motion, discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 1 and asks for a Conference Committee. House Bill 320. Senator Berman is recognized for a motion.

SENATOR BERMAN:

I move that we refuse to recede from Senate Amendments 1

and 2 to House Bill 320.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is that we refuse to recede. Discussion of the motion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendments 1 and 2, and the Secretary shall so inform the House and ask for a Conference Committee. House Bill 333, Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I move to recede from Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to recede. The motion is to recede. Is there discussion of the motion? Discussion? The...Senator Buzbee.

SENATOR BUZBEE:

...just like to know what...what we're receding from?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Joyce. Senator Jerome Joyce.

SENATOR JEROME JOYCE:

This...yes. This is the Senate Bill 1014, it was the Illinois State Park Foundation Act. It was one of the Prairie State Two Thousand bills that the House did not go along with, twice.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

I guess the sponsor can do what he...what he wants with his own bill, but I'm not sure why we are acceding to the House's refusal. The House has refused to do a lot of things, most of them have not been good ideas.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes. Well, the Senate sponsor of the bill...that has gone to the House twice wishes to recede this time also, Senator.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, what we're voting on in final passages is the new Commission on Health Assistance then, correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

No. This is the...the bill for the Conservation Department, the snitch money bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis. Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. I think it's a pretty good amendment. I think we probably ought to keep it on the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Jerome...Senator Geo-Karis.

SENATOR GEO-KARIS:

...will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

We're all so tired here, but what does that do? What does that amendment do, can you tell us?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Why don't I have the sponsor of the amendment tell you. Senator Welch.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch is recognized for an explanation.

SENATOR WELCH:

The purpose of...the purpose of the amendment was to create the Illinois State...Park Foundation Act to allow for people to contribute money to help the park system, and it crashed to its death in the House on two separate occasions, and we are now withdrawing from the...receding from the amendment to the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall the Senate...recede from Senate Amendment No. 1 to House Bill 333. On the motion, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 2, none voting Present. The Senate does recede from Senate Amendment No. 1 to House Bill 333, and the bill having received the required constitutional majority is declared passed. House Bill 541, Senator Maitland. Senator Maitland is recognized for a motion.

SENATOR MAITLAND:

Thank you, Mr. President. I move the Senate refuse to recede from the Senate amendments on House Bill 541 and a Committee of Conference be appointed.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to refuse to recede from Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 to House Bill 541. On the motion to refuse, is there discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede to the amendments enumerated and asks for a Committee of Conference. House Bill 542, Senator Sommer.

SENATOR SOMMER:

Mr. President, I move to refuse to recede on all Senate

*HB 606  
Refuse to Recede*

amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is that the Senate refuse to recede from Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8 and 10 to House Bill 542. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede to the enumerated Senate amendments and asks for a Conference Committee. House Bill 543, Senator Kent is recognized for a motion.

SENATOR KENT:

Thank you, Mr. President. I would move that the Senate refuse to recede from all Senate amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we refuse to recede from Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24 and 26 to House Bill 543. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede to the enumerated amendments to House Bill 543 and asks for a Conference Committee. House Bill 606, Senator Netsch.

SENATOR NETSCH:

I would move that the Senate refuse to recede from Amendments 1, 2, 4, 5, 6 and 7 to House Bill 606 and request a Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede to the Senate amendments enumerated and asks for a Conference Committee. House Bill 621, Senator Lenke. Is Senator Lenke on the Floor? Senator Lenke. House Bill 643, Senator D'Arco. Private Detective and Private Security Act. The motion is that we refuse to recede from Senate Amendment No. 2. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 2 to House Bill 643 and asks for a Committee of

Conference. House Bill 690, Senator Sangmeister.

SENATOR SANGHEISTER:

Move that we refuse to recede.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we refuse to recede from Senate Amendment No. 1 to House Bill 690. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 1 and asks for a Committee of Conference. The Secretary shall so inform the House. House Bill 691, Senator Macdonald is recognized for a motion.

SENATOR MACDONALD:

I recommend that we refuse to recede to Senate Amendment No. 1 on House Bill 691.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we refuse to recede from Senate Amendment No. 1 to House Bill 691. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede and asks for a Conference Committee. House Bill 700, Senator Ebbesen...or Senator Schaffer.

SENATOR SCHAPPER:

Freudian, Freudian. Mr. President, if we could get the Senate number to 700 on the electronic board. I would like to move to recede from Senate Amendments 2 and 3, which would give us a clear vote on the original intent of the bill. What we wanted in the first place was...was a clear, pristine shot at a separate board for Northern Illinois University, and that motion will accomplish that.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to recede from Senate Amendments 2 and 3. Is there discussion of the motion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is that illustrious bill that was going down to defeat until it was brought back, an amendment was put on by Senator Rock, and

Senator Rock is not on the Floor to defend his amendments. And to move to recede from the amendments when he's not present, I don't think is fair. More importantly, we don't want this bill going to the Governor in this christine form 'cause it's a terrible thing to do. This sets up a separate governing body for one university, and we're going to start dealing out, and I'll guarantee you that the rest of us who have universities in their district will be back for a separate board for every one of ours come the next Session or even this fall. This is a terrible waste of money. We put together the Board of Higher Education to try to reduce this proliferation of boards, individual boards for each university. They created the Board of Regents and the Board of Governors to bring these under some kind of a cap under one kind of a control and answer to the Board of Higher Education. And I urge each and every one of you not to recede, not to recede from this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President. Senator Davidson said it well, we are at the critical crossroads of higher education in the State of Illinois, and tough decisions are going to have to be made in future years. And I can see a grandiose plan in northern Illinois, and that's the purpose of this bill, and a very few of you care, very few of...you are listening, but this is going to create a monumental problem for higher education. It's going to create a monumental task for us here during the appropriations process every year. The regents system is working well, it should not be tampered with, and I also would...would echo Senator Davidson's suggestion that we refuse to recede from this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Hall.

SENATOR HALL:

Well, I just didn't want to reiterate what has been said, but it is...and as you said, Senator Rock put those amendments on, he's not here and now Senator Schaffer wants to...so, we should not do this.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, I was just going to respond to Senator Davidson's question on fairness. I mean, we're just going in the order of the bills as they're called. This is fair as to all of us as we're out here. Right? I mean, I don't think it's unfair that...that...that someone who put some amendments on a bill to kill it doesn't happen to be around to debate whether or not the amendments should stay on or stay off.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Well, I...I beg to differ with that statement, because I do think that everybody here recognized that Senator Rock and the...as well as the leadership over there are seriously trying to negotiate and resolve the most important issues that we have to deal with the rest of the Session. He should have an opportunity to be here to defend his amendment. But even if you choose to go on, I would beg this Body...I think Senator Maitland and several other people have already explained why we should not recede, because we...this bill ought to go down or ought to go to a Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

Well, thank you, Mr. President. I've heard all of the rationale from those jealous people who forgot to think of

this concept, and now because of their own selfish motives feel deeply that this thing is wrong. This thing was right going in, it's as right as it ever was, and I would support Senator Schaffer in his motion. And the Johnny-come-lately's, maybe next year you'll get the...message and you may well be right in running the most efficient university system in these United States like several others do. Let's support Senator Schaffer's motion.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Since I oppose the amendments and the bill, I guess...the right way to go at this point would be to refuse...for me is to refuse to...recede, so when it comes back in Conference, we can kill it then.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Welch.

SENATOR WELCH:

Thank...thank you, Mr. President. I would just like to rise in support of Senator Schaffer. I think that as one of our members often says, we should vote on this bill in its pristine form. And I think that the Northern Illinois University should have its own separate board. I think that it's a university that is large enough to be able to control itself. It's very diversified. It...now has its own law school. It's growing bigger and better every day, and I think that the time has come to sever the cord and let it go out on its own. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senator Welch just made my speech.

That's why the amendment is on there. The University of Illinois at Chicago Circle is, as a matter of fact, bigger in population than Northern Illinois University. It's about time we severed the cord and let it go on its own. That's the purpose of the amendment, and we ought not recede. If we're going to do it for Northern, let's do it for the other universities of comparable size so that they too can have their own clout, so to speak, within the process of the Board of Higher Ed. and the General Assembly of Illinois. Please don't recede from this amendment. It was a good one, it should stay on.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Well...hooked on the horns of the perennial dilemma. I don't like the bill. I don't like the original bill; I hate the amendment even worse, and so I really don't know how to vote on this thing because...I...I...I appreciate all the...all the help I'm getting from my friends, my dear, my dear, thank you, or whatever, but I happen to...to...to disagree, as I said. I don't think Northern Illinois University ought to have their own separate board, nor do I think that Southern Illinois University in Carbondale and Southern Illinois University in Edwardsville or the University of Illinois in Champaign-Urbana or the University of Illinois in Chicago ought to have their own separate boards. The fact of the matter is that the system of systems was set up years ago when Dr. David Henry and Dr. Delight Morris were the presidents of the University of Illinois and Southern Illinois University more or less as a self-defense mechanism by the Legislature to protect themselves from the clout that those two gentlemen had...had come to exercise in this General Assembly. The system of systems has worked very well. To start to...to start to decimate the system of systems at this

point is not a good idea...and I hope my seatmate on my left either wakes up or goes back to his room and goes to bed 'cause his snoring is beginning to...bother me. But I'm not sure what we ought to do at this point. But I'll tell you one thing, I am convinced that if this bill gets on the Governor's Desk without the encumbrances that Senator Rock put on it, that it is greased. I think the Governor is going to sign it. So, therefore, I'm going to vote against Senator Schaffer's motion, and voting against my own best interest temporarily with the idea of killing the whole thing.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

I was going to ask Senator Buzbee how I should vote. I...you know, how are you going to vote, Senator Buzbee? I...I...you were talking one way and then you...I didn't quite follow you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

I'm flexible.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

Well, I liked the bill from the start. Senator Buzbee said it's been self-sufficient, it's been self-perpetuating for a few, and I'm going to vote to...to send it to Conference Committee, but I know the Conference Committee is going to be loaded, so I...I kind of got some problems there. But I like the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I'm not sure how this is going

to help out Governor State University which is in my area. I think that may be a problem. But, you know, really the thing that's...that helped me to make this decision, I talked to a little hardwork...very hardworking UAW cardholder out here recently, and he's very concerned, and he told me, don't take Senator Schaffer's lead on this one. I'm going to vote against you.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Schaffer may close.

SENATOR SCHAFFER:

Well, I guess I should make several appeals; one to all you guys on this side that don't like unions, I hope you heard that last statement. Whimsically speaking to my friends from SIU and U of I, if you're not too fond of this bill now, wait till we get it in Conference Committee. Senator Rock has a plan, let me tell you, and I think he can deliver the votes and the signature. You talk about grease, Senator Buzbee. Oh, well. Now, to talk at least and at last about the subject. I'm talking about a separate board for Northern Illinois University, which happens to be my alma mater, which is why I'm here and why I'm sponsoring this bill, and I think why Senator Joyce is working with me. Northern is the second largest, single campus in the State, second only to the U of I. It is a fine university. Pardon me, there's...I'm...I don't want to get in a fight with anybody from down south, but it's a great university just like the one down south that has its own separate board. I'm somewhat amused when I hear negative talk from those people whose university has its own separate, free-standing board about the system of systems. Simply put, before the...we created the Board of Higher Education, perhaps those arguments had some validity. Now, if you examine the structure in the State, I think one might conclude that the Board of Governors and the Board of Regents are, in fact, the

redundancies, and that what should happen is that the various regional universities should be given regional boards to guide their local destiny and report to that one higher board, which would be that buffer that Senator Buzbee mentions between us and the higher education system. I think this is, in fact, an idea whose time has come. This is a fine university. It is a regional university just like Southern Illinois is. It deserves its own board. It deserves autonomy through the system with the Board of Higher Education. It's a good idea. Would just like a roll call and would like thirty green lights...thirty...to stay in their chairs.

PRESIDING OFFICER: (SENATOR BRUCE)

The...the question is, shall the Senate recede from Senate Amendments 2 and 3 to House Bill 700. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 31. The Senate refuses to recede from Senate Amendments 2 and 3 to House Bill 700, and the Secretary shall so inform the House and ask for a Committee of Conference. House Bill 813, Senator Schaffer. For what purpose does Senator Buzbee arise?

SENATOR BUZBEE:

On a point of personal privilege, Mr. President. Senator Vadalabene admonished us all the other day not to play with our switches, and I just would like to say to Senator Weaver, I think that was a dirty trick, Senator Weaver, 'cause I was watching your light all along.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer, on House Bill 813.

SENATOR SCHAFFER:

The Conference Committee on 700 will meet in Representative...Ebbesen's office almost immediately. We have a

twenty-eight page amendment that Senator Rock has offered, we'll be back on that very quickly. Frankly, we can recede, refuse to recede or we can blow this bill up or do whatever we want. I don't know what those clowns in the House are doing on this one, so why don't we just refuse to recede and throw it in a Conference and maybe forget it.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is that the Senate refuse to recede from Senate Amendments 1 and 2 to House Bill 813. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede and asks for a Conference Committee. House Bill 888, Senator Sommer.

SENATOR SOMMER:

Mr. President, I move to refuse to recede from all Senate amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that the Senate refuse to recede from Senate Amendments 1, 3, 4, 5, 6, 7, 8 and 9. On...on that motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from the enumerated amendments and asks for a Conference Committee. House Bill 963, Senator Savickas. Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I refuse to recede and ask that a Conference Committee be set up.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we refuse to recede. Discussion of the motion? Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 1 to House Bill 963 and asks that a Conference Committee be appointed. House Bill 1002, Senator Coffey. Senator Coffey is recognized.

SENATOR COFFEY:

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

*HB 1045  
Refuse to Recede*

move that the Senate refuses to recede from Amendment No. 1 to House Bill 1002.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we refuse to recede from Senate Amendment No. 1. On the motion, discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 1 and asks that a Conference Committee be appointed. House Bill 1045, Senator Marovitz.  
SENATOR MAROVITZ:

Yes, thank you, very much, Mr. President. I would move that the Senate refuse to recede from Amendments No. 1 and 2 and that a Conference Committee be set up to...in order to put up the agreed amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. The motion is that we refuse to recede from Senate Amendments 1 and 2 to House Bill 1045. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede and a Conference Committee be appointed. House Bill 1054, Senator Kelly. Senator Kelly is recognized for a motion.

SENATOR KELLY:

Mr. President, I move that the Senate refuse to recede from House Bill 1054 and ask for a Conference Committee...to be appointed.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we refuse to recede from Senate Amendments 1 and 2 to House Bill 1054. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede and asks for a Conference Committee. House Bill 1182, Senator Davidson. Your Calendar should show Senator Davidson.

SENATOR DAVIDSON:

Move...I move that the House...I mean, excuse me, it's the Senate, not recede from amendment...Senate Amendment No.

4 and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is that we refuse to recede from Senate Amendment No. 4 to House Bill 1182. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede and asks for a Conference Committee. House Bill 1337, Senator Degnan. Senator Degnan is recognized for a motion.

SENATOR DEGNAN:

Thank you. I move we refuse to recede from Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we refuse to recede. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 1 and asks for a Conference Committee. House Bill 1355, Senator Demuzio. Senator Demuzio moves that we refuse to recede from Senate Amendments 1 and 2 to House Bill 1355 and that a Conference Committee be appointed. On the motion, discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede and asks for a Conference Committee. House Bill 1371, Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. I refuse to recede from Senate Amendment No. 1 to House Bill 1371 and ask that the House appoint a Committee on Conference.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 1 to House Bill 1371 and that a Conference Committee be appointed. House Bill 1382, Senator...Luft.

SENATOR LUFT:

Thank you, Mr. President. I move the Senate refuse to recede from Senate Amendment No. 1 and ask for a Conference

Committee, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is that we refuse to recede from Senate Amendment No. 1 to House Bill 1382. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. the motion prevails. The Senate refuses to recede and asks for a Conference Committee. House Bill 1704, Senator Davidson. Senator Davidson. House Bill 1751, Senator Darrow. House Bill 1789. Senator Luft, for a motion on House Bill 1789.

SENATOR LUFT:

Thank you, Mr. President. I move the Senate refuse to recede from Amendment No. 1 to House Bill 1789.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is that we refuse to recede. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 1 and asks for a Conference Committee. House Bill 1812, Senator Degnan.

SENATOR DEGNAN:

Thank you. I move we refuse to recede from Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion to refuse to recede. Is there discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 1 and asks for a Conference Committee. House Bill 1835, Senator Sommer.

SENATOR SOMMER:

I move that we refuse to recede and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is that we refuse to recede from Senate Amendment No. 1 to House Bill 1835. Discussion of the motion? Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 1 and asks

HB 1838  
Schuneman & Egan

for a Conference Committee. House Bill 1838, Senator Egan. House Bill 1864, Senator Savickas. Cigarette tax. House Bill 1941, Senator Schuneman. Senator Schuneman is recognized for a motion.

SENATOR SCHUNEMAN:

Mr. President, I move that the Senate do recede...or that the Senate refuse to recede from Senate Amendment No. 3 on House Bill 1941.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we refuse to recede from Senate Amendment No. 3 to House Bill 1841. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede and asks for a Conference Committee. For what purpose does Senator Egan arise?

SENATOR EGAN:

House Bill 1838, I would move to recede from the...to nonconcur...what is the motion?

PRESIDING OFFICER: (SENATOR BRUCE)

Refuse to recede.

SENATOR EGAN:

Refuse to recede on House bill...House Amendment No. 1 to House Bill 1838.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 1838. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede from Senate Amendment No. 1 and asks for a Conference Committee. House Bill...Senator Savickas, have you now a motion on 1864?

SENATOR SAVICKAS:

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator Savickas.

SENATOR SAVICKAS:

Well, we refuse to recede and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. You've heard the motion that we refuse to recede from Senate Amendment No. 1. Discussion? May we have some order, please. The motion is that we refuse to recede. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede and asks for a Conference Committee. House Bill 2000, Senator Hall. Illinois Municipal Code limitations on powers to sell or convey real estate. Senator Hall, for a motion.

SENATOR HALL:

Thanks, Mr. President and Ladies and Gentlemen of the Senate. I refuse to recede...and ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. The motion is that the Senate recede from Senate Amendment No. 1...refuse to recede from Senate Amendment No. 1 and that a Committee of Conference be appointed. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede, a Conference Committee will be appointed. House Bill 2014, Senator Rock.

SENATOR ROCK:

Thank you. I refuse to recede from Senate Amendment No. 1 to House Bill 2014 and ask that a Committee in Conference be appointed.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is that we refuse to recede to Senate Amendment No. 1. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede and asks for a Conference Committee. House Bill 2058, Senator Schaffer. Motion is by Senator Schaffer that we refuse to recede to Senate Amendment No. 1 to House Bill 2058. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The

Senate refuses to recede and asks for a Conference Committee. House Bill...2201, Senator Berman. Is Senator Berman on the Floor? The motion by Senator Berman is that we refuse to recede from Senate Amendment No. 1 to the...to House Bill 2201. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails, and the Secretary shall so inform the House. On Supplemental Calendar 1, before we leave that order, were only two bills we did not handle. Senator Davidson and Senator Darrow. I guess we will leave those. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

On House Bill 621, we refuse to recede and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

Right. That is on page 2 of your Calendar...your Supplemental Calendar. Supplemental Calendar, on page 2. Senator Lemke has moved that we refuse to recede from Senate Amendments 1, 2, 3, 4 and 5 and a Conference Committee be appointed. On the motion, discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Alright. If I might have the attention of the Body, we have reached a point on the Calendar that we are willing to take requests for action. If there is no...we can take a one-hour recess until ten-thirty, at the request of the House, because they have some paper work they need to get caught up with, and we can start on some work on Conference Committees. But we...do any Senators have bills on the Order of Concurrence or Nonconcurrence that they would wish to call at this time? Senator Grothberg.

SENATOR GROTHBERG:

I have concurrence, 709.

PRESIDING OFFICER: (SENATOR BRUCE)

What page, Senator?

SENATOR GROTBERG:

I don't care. Number 709.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Page 13, Senator, your lucky number.

SENATOR GROTBERG:

On my printout it's on...they're all on one page.

PRESIDING OFFICER: (SENATOR BRUCE)

It's on page 13 of the regular Calendar. Under the Order of Secretary's Desk Concurrence is House...is Senate Bill 709. Senator Grotberg.

SENATOR GROTBERG:

Yes, the House dutifully stripped off the indemnification of the volunteer humane animal inspectors, and I'll go along with that and move that the Senate do concur in House Amendment No. 1 to Senate Bill 709.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? The motion is to concur, which is final passage. Discussion? Discussion? The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 709. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 3, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 709, and the bill having received the required constitutional majority is declared passed. There were 53 Ayes, 3 Nays, none voting Present. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you. On page 6, the top of page 6, is Senate Bill 197, which had been jointly sponsored by Senator DeAngelis and I. This was, as I'm sure the membership will recall, the agreed bill with respect to the unemployment insurance compensation changes that were mandated upon us by the Fed-

8/19/77  
concurance

eral Government. It was introduced as an agreed bill. It was passed as an agreed bill. The House put on two amendments; one of which I understand is technical, the other brings us again into conformity with what the Federal Government required. I'd like to yield to Senator DeAngelis, whom I'm sure will move to concur with the House amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? The question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 197. On the motion, those in favor say Aye. Opposed Nay. The Ayes have...whoop. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 197, and the bill having received the required constitutional majority is...declared passed. Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I'd like to take up House Bill 496, which I pulled out of the record to try and get something straight from the Attorney General's Office. It's on page 10.

PRESIDING OFFICER: (SENATOR BRUCE)

On page 10 of the Calendar...of the regular Calendar is Senate Bill 496, and Senator Fawell is recognized for a motion.

SENATOR FAWELL:

Alright. I would like to concur on House Amendment 1 and 2, and to nonconcur on House Amendment 3.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright.

SENATOR FAWELL:

House Amendment No. 1 allows the parents to...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Fawell, for our Journal, if you do not mind, we would prefer to take the nonconurrence first.

SENATOR FAWELL:

Oh, alright.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to nonconcur in House Amendment No. 3 to Senate Bill 496. On the motion to nonconcur, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur in House Amendment No. 3. Senator Fawell, for further motions.

SENATOR FAWELL:

Alright. House Amendment No. 1, this amendment allows parent's fees to be assessed from the date of...placement rather than the commitment by the court and authorizes DCSP to use the private agencies for collection of delinquent fees. I would concur. House Amendment 2, this amendment assures that no client is refused child welfare services solely for the nonpayment of parent fees. I would concur on both amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we concur with House Amendments 1 and 2 to Senate Bill 496. Those in favor vote Aye. Those...Senator...Senator Buzbee, on this bill?

SENATOR BUZBEE:

Yes, sir.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, Senator Buzbee, there are several Senators that have...turned their lights on so that we will get to their bill, so it's a little difficult for the Presiding Officer. I apologize. Senator Buzbee.

SENATOR BUZBEE:

Thank you. I just wanted to ask the Senator if the amendment that she just nonconcurrred in is the one that the director of the Department of Children and Family Services

and the Attorney General were both in agreement that they did not want, is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

That's the latest message I have received, yes. I heard they did, then they didn't, then they...maybe, and now I hear, no. The Attorney General does want to be in this whole system, and I have talked to the House sponsor of the amendment and he said he would recede from the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Well, I had dinner with the Attorney General this evening, and I asked him about it at that time, he said he did not want the amendment. And I talked to the director of the Department...well, I want you to know that Senator Rock paid. So, it was, you know, no funny business or anything like that at all. And...and I talked to the director of the Department of Children and Family Services five minutes ago, he informed me he also does not want the amendment, and so we are in agreement completely that that amendment ought to be done away with, and I appreciate your...I appreciate your effort, Senator.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

I...I have talked to the House sponsor, Representative Cullerton, and he says he will recede from the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Further discussion? The motion is that we...Senator Vadalabene.

SENATOR VADALABENE:

Yes, Bev, this is Sam. How come you didn't have dinner

with me?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

I got somebody else to pay for it.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 496. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2, and the Secretary shall so inform the House. Senator Watson, do you wish to have...if the other members who have bills they would like to call would cancel their lights until after we get passed the bill, it will help me recognize those who want to speak on the bill that's before the Body...Presiding Officer, if you'll try to catch Frank's eye here, we'll put you on the list and get right to you. Senator Watson, what page and what bill?

SENATOR WATSON:

Thank you, Mr. President. Page 24, House Bill 441. I move to recede from Senate Amendment No. 1 to House Bill 441. The amendment deleted the word "knowingly," and I would move for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

It's on page 24 of your Calendar is House Bill 441, and Senator Watson has moved to recede from Senate Amendment No. 1, which will be final passage. Is there discussion of the motion? Senator Rock.

SENATOR ROCK:

Might I ask the gentleman who offered the motion and for what reason...I mean, the amendment and for what reason?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

I believe it was Representative Cullerton, and he has been putting knowingly, I think, into a lot of legislation that we've been sending back and forth, and he wants it in there.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

I understood this was a Senate amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

We took the word "knowingly" out. He had it in...it's a House bill. He put it in over there, he had it in over there and we took it out.

PRESIDING OFFICER: (SENATOR BRUCE)

No, it is on the regular Calendar...your regular Calendar on page 24. It will be in the pink concurrence, nonconcurrence. That...that tracks with the regular Calendar. The yellow tracks with the Supplemental Calendar. So, you now have two active lists on your desk. Don't throw away the pink, keep the yellow. Further discussion? Senator...Senator Watson, further discussion? Senator...

SENATOR WATSON:

Well, this is...this is the Department of Agriculture bill, they agreed to...to...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson, I guess we have further debate. Senator Egan.

SENATOR EGAN:

Yes, if we're...if we put in the word "knowingly" in the Senate and in the House they are taking it out, I resist the motion to recede because we should leave the word "knowingly"

in.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...Watson.

SENATOR WATSON:

The word "knowingly" was in the bill when it came over from the House. We took it out...we took "knowingly" out with...with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. Watson, would you yield?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Are you moving to recede from the Senate amendment?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I concur with Senator Egan, I think...Senator Watson should be allowed to recede from the Senate amendment because the bill makes more sense with the word "knowingly" in there.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Watson.

SENATOR WATSON:

One more time. This is a Department of Agriculture bill. They agree with the action. It's fine with them. It's okay with me, let's move on.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate recede from...(machine

cutoff)...the Senate recede from Senate Amendment No. 1 to House Bill 441. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does recede from Senate Amendment No. 1 to House Bill 441, and the bill having received the required constitutional majority is declared passed. Senator Rupp, did you have a bill you wish to call?

SENATOR RUPP:

Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rupp.

SENATOR RUPP:

I'd like to move...Senate Bill 1176.

PRESIDING OFFICER: (SENATOR BRUCE)

On what page and what Calendar?

SENATOR RUPP:

It's on the original, regular, daily Calendar on page 21, about a third of the way down. Senate Bill 1176.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright.

SENATOR RUPP:

I would like to move, Mr. President, to concur with House Amendment No. 1 to Senate Bill 1176. This amendment will allow the Department of Agriculture to file a complaint by a distributor, or retailer, or by the department itself to test the quality of motor fuels as the standards prescribed by the American Society for Testing and Materials. This would help protect consumers against fuel switching by unscrupulous dealers. There were two dealers recently in Illinois who were fined 2...or I think 5.9 million dollars for blatantly substituting cheaper leaded gas for the more expensive unleaded gas. The motor fuels, as defined in this Motor Fuel

Tax Act, includes the gasoline, gasohol, diesel, kerosene and lp gas. The testing will check things as octane levels, vapor pressure, sulfur content, existence of gum and the amount of lead and water content. There are facilities located in Illinois that can perform the tests, and I do suggest and ask that we move to concur with that amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to concur. Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. A question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

Senator, who does the inspection now?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rupp.

SENATOR RUPP:

As far as I know, there isn't anyone who does that. A customer, you or I, go into a filling station, we don't know who...to whom we should turn for an inspection. This is the reason we...this is suggested.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, that's what I thought, and is this a new program now...that's going to be administered by the Department of Agriculture? And if it is, how many people do we intend on hiring and...from what fund are we going to be paying them?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rupp.

SENATOR RUPP:

Thank you. The indication I got is that there really will not be that much involved in the...in the procedure.

There will be fees that are charged for this particular testing, and the fees will be based on the cost that the department runs into and the actual cost of contracting for the tests. Now, the feed...fee will be paid by the person or the firm or the corporation that is found to have the inferior product. However, in a case where a person or a firm or a corporation meets the standards, then that fee will be paid by the individual who filed the complaint.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, here we go again, Mr. President and members of the Senate. The last day, last Session of this Session, and we have a new program being instituted in the State of Illinois where we have a budgetary crunch. Not that I'm arguing against the program or maybe that we may need it, but I don't believe that this is the proper way of conducting the public's business. And I'm saying, yes, we're for consumer protection. We want to make sure that the consumers are getting their fair...a type...quality of gasoline that is being presented to them at the pump, but I don't know if the Department of Agriculture should be charged with this responsibility, and I don't think you do either. This is a new program, and I believe that maybe there are some other departments that can also address this critical issue. Maybe the Attorney General's Office, as far as consumer fraud, should have this...investigatory power. Maybe...I don't know whose responsibility it is now as far as the gas stations. I don't know exactly the dollar amount and user fees that this bill contemplates. I don't believe that this is an item that should be addressed at the last minute by this General Assembly. I think it deserves public input. I think it deserves the...the cost studies that should be reflected, who's paying and how much. I think it should also reflect the

number...there's an awful lot of gas stations in this State, there could be an awful lot of investigators hired under this program, and I personally believe until these questions are answered we should be voting No.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Rupp may close.

SENATOR RUPP:

Thank you, Mr. President. I do feel that there...in this particular case, admittedly, this is coming up at this last minute, but there is a need. There isn't any question about it. I don't think there's anyone here who would not be willing to have the consumer protected in this particular area. There's nothing else that one can do as an individual. As far as costs are concerned, all I will do is repeat that the fees are going to be paid by those who bring the complaints. If the complaint is a legitimate one, the violator will be the one who will have to pay. If there isn't any...anything wrong, then the person who brought the complaint will have to pay. I still believe that we have a need and we should face it and move and push this thing through right now. I ask that we do, and continue my move to concur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lechowicz, the...the gentleman was closing. Senator Lechowicz. Senator Lechowicz.

SENATOR LECHOWICZ:

I still don't know what the cost is.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 1176. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are

25, the Nays are 12. The Senate does not concur with House Amendment No. 1 to Senate Bill 1176, and the Secretary shall so inform the House. For what purpose does Senator Marovitz arise? Alright. Alright. Senator...here's the list of gentlemen who have contacted the Parliamentarian, in this order, so you'll know. Senator Dawson, Senator Schaffer, Senator Marovitz, Senator Jerome Joyce, Senator Kustra and Senator Netsch. We will take your bills...Senator Collins wishes to be added for a bill. Senator D'Arco. Senator Dawson on the Floor? Senator Dawson. Senator, which bill did you wish to act on? Alright, on page...10 of your regular Calendar is Senate Bill 454. Senator Dawson is recognized for a motion.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I'd like to...concur on Amendment 2...1 and 2 on Senate Bill 454. Amendment No. 1 extensions under the Lead Poisoning Prevention Act, shall not exceed the one year. The amendment was encouraged by several consumer groups, and the Department of Public Health supports the amendment. No. 2 removes the provision mandating the Attorney General to prosecute violators of the Act. This amendment is an agreement between the Department of Public Health and the Attorney General's Office. I'd like to concur on these two amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we concur with House Amendments 1 and 2 to Senate Bill 454. On the motion, discussion? Discussion? The question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 454. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 454, and the bill having received the

required constitutional majority is declared passed. Senator...Senator Dawson.

SENATOR DAWSON:

457.

PRESIDING OFFICER: (SENATOR BRUCE)

Next bill on the Calendar. Right below, on page 10 of your Calendar is Senate Bill 457. Senator Dawson is recognized for a motion.

SENATOR DAWSON:

Senate Bill 457 and amendment attempts to correct the past inequities in the nursing home reimbursement system, addresses professional wage or support cost underpayments to nursing homes. I'd like to concur with this, please.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...concur with House Amendment No. 3 to Senate Bill 457. Discussion? Discussion? The question is, shall the Senate...Senator Schaffer.

SENATOR SCHAPFER:

We're caught at a loss on this, Senator Dawson. Could you refresh our memory on exactly what this bill is and what it does and what the House amendment was?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Dawson.

SENATOR DAWSON:

The amendment attempts to correct the past inequities in the nursing home reimbursement system and addresses the professional wages or support cost underpayments to nursing homes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAPFER:

How and how much does it cost?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Dawson.

SENATOR DAWSON:

According to our figures, it comes out to 13.5 million dollars.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

According to our figures, it comes out to fifty-two million in FY '84, forty-eight million in FY '85, fifty-eight million in FY '86, for a total of a hundred and fifty-eight million. You know, a million here a million there, you know, soon you're talking about real money. I...I love our friends in the nursing home industry, but unless the Legislative Counsel printing presses are printing money, I...I really think we better take a long, hard look at this.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis. If we could break up the caucus around Senator DeAngelis. Senator Lemke and Senator Schuneman.

SENATOR DeANGELIS:

Well, I...I don't have our handler here, I'm looking for him, but we met with Public Aid and some other people. There is a serious discrepancy, Senator Schaffer, in that number, and I think that...that...that some of those...and I'm trying to find my paper work here, some of those are absolutely inconsistent with the amendment. They're putting down some costs on there that they claim are mandatory when it is not. What has happened to these people is that they've gotten rate increases, we have put them off. They get rate increases, we keep deferring it, okay? And what they're trying to do with these particular...amendments on here is to ensure some things...not happening in the future that have happened in the past. There...do you have the amendment, Senator Schaffer, by any chance?

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Further discussion? Senator DeAngelis, had you concluded?

SENATOR DeANGELIS:

I would like to urge support with Senator Dawson's motion.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President, I'd...I'd like to support this concept, but, gee, I'm not sure I can support this bill. I...I don't...it seems to me that...that we ought to come a little closer in knowing what we're doing, somewhere between thirteen million and fifty-two million. You know, we really ought to have it honed a little finer than that. I would hope that we could have some...frankly, I don't know what the...what the particulars of the bill are. I know that my...several of my nursing homes have called me today in support of this amendment and, frankly, I think those folks need some help, but I'm not sure we can afford this kind of help, and I'd like to hear some more discussion on this issue.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, I concur with you, Senator. This is absolute insanity. You're asking us to vote for something between...somewhere between thirteen million and fifty million dollars. Is this based on the passage of the Daniel's tax package or the old Thompson tax package, or where are we? I mean, this is...this is absolute crazy. We should save this till tomorrow night, it'll fit in better.

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate,

some of the parts of this amendment for Calendar Year '84 would be...and some of the things that Senator Schaffer is concerned about is; number one, in the home care provider cost reports for Calendar Year '84, there is no cost. The Department of Public Aid is already required to make such cost comparisons under Public Act 82-0921. Therefore, this component will not have any cost impact on it. The second part of it is to return to the calendar month bill...billing cycle, that also has no cost on it 'cause that's contained in Senate Amendment No. 2. The nineteen million seven hundred thousand was diverted from Group Care and Local AMI lines for Fiscal Year '82 Department of Public Aid budget. Approximately eighteen million of that diversion was from Group Care resulting from the implication of MMIS and admitted in Fiscal Year '83 Illinois State budget and if any...therefore, this provision has no cost to the State at all in that part of it. The next part, the...support cost reimbursement increase, that is 4.5 million dollars. The increased reimbursement for professional nursing personnel, that comes out to eight million; and number five of this part, adjusted reimbursement for rented facilities is one million, and it comes out to a total cost of 13.5 million dollars for this whole package.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Marovitz.

END OF REEL

REEL #9

SENATOR MAROVITZ:

Well, thank you, very much, Mr. President and members of the Senate. I rise in support of this legislation. No...no bill points out better the obvious fact...and this is really what this bill is there for and we ought to really be honest about it, no bill points out better the fact that this tax package that we're going to be considering tonight just isn't viable, isn't enough, doesn't provide enough dollars for the kind of people that really need it and can't help themselves and need the kind of help that's provided in this bill and that we need a lot more dollars available; and that's why this tax package that we're going to be voting on tonight just isn't enough, and we're going to have to rethink the...the fact about how many dollars are available and up...up the...up the ante a little bit. We're going to have to up the ante a little bit so we can help these people.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Lechowicz.

SENATOR LECHOWICZ:

Point of order, Mr. President. I would hope that the membership would address themselves to the bills on hand. It's about ten o'clock in the evening already. We've had a pretty long day, and if you want to address the bills for its merits or demerits, fine. Let's not bring anything else into the picture. Thanks.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Well, thank you, Mr. President. I like...I think everybody on this Floor would like to help the nursing home

operators because we all realize the dilemma they're in, but the Senator is asking us to vote on something about which we have no absolute figures, not even any really good estimates, and...and, Mr. President...Mr. President, I would make the request to the Senator at this time, we're not under a time...we're not under the gun time-wise this evening. We have until midnight tomorrow night, and I would like to ask the Senator if, at this time, he would take this bill out of the...out of the record and give us a chance to get some more information and find out exactly what we're voting on. We know that we can't vote for something that's going to cost fifty million; perhaps we can't vote for something that's going to cost thirteen million, but I'd like to know more about it before I'm asked to vote, so I wonder if the Senator would...would mind to take it out of the record at this time until we can get some more accurate information on it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Dawson.

SENATOR DAWSON:

Well, Mr. President and Ladies and Gentlemen of the Senate, this has been around for awhile, Senator Buzbee, like everything else that's flying across our things here. We weren't fortunate enough to have supper tonight with the Attorney General to discuss this thing, you know, but we just feel that this was here in the packages before us, and I don't want to get them lost in the last minute shuffle at eleven o'clock, so I'd like to ask for a favorable roll call on this to concur with this.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, the question is, shall the Senate concur with House Amendment No. 3 to Senate Bill 457. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25,

the Nays are 18, 8 voting Present. The Senate does not concur with House Amendment No. 3 to Senate Bill 457 and the Secretary shall so inform the House. Senator Schaffer...Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Mr. President, I made a mistake in voting and the result was I didn't get to vote at all. So had I voted correctly, I would have voted No on that issue.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, the...transcript will indicate your comments. Senator Schaffer, did you have a bill? Please tell us.

SENATOR SCHAFFER:

I would if the mike was on. It just went on. Mr. President, on page 20 of the regular Calendar is Senate Bill 1135. I would move to recede...refuse to recede from the amendment and request a Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, the motion is...the motion, Senator, would be to refuse to...to nonconcur? The motion is that the Senate nonconcur with House Amendment No. 1 to Senate Bill 1135. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with House Amendment No. 1 and the Secretary shall so inform the House. Senator Marovitz.

SENATOR MAROVITZ:

I would move that the...

PRESIDING OFFICER: (SENATOR BRUCE)

Well, tell us what bill.

SENATOR MAROVITZ:

House...it's page 24 of the regular Calendar, top of the page, Mr. President, House Bill 406. And I guess the motion is I refuse to recede...

PRESIDING OFFICER: (SENATOR BRUCE)

Either concur or nonconcur.

SENATOR MAROVITZ:

...and ask for a conference.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, the motion is that we nonconcur with Senate Amendment No. 1...that we refuse to recede from Senate Amendment No. 1 to House Bill 406. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate refuses to recede and asks for a Conference Committee. Senator Marovitz.

SENATOR MAROVITZ:

...one...another one for your offering. Same page, down the list, House Bill 516. I would make the same motion that the Senate refuse to recede and a conference be appointed.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is that we refuse to recede and ask for...Committee of Conference. On the motion, those in favor say Aye. Opposed Nay. The Ayes have and the Senate refuses to recede and asks for a Conference Committee, and the Secretary shall so inform the House. Senator Marovitz, more business?

SENATOR MAROVITZ:

Well, I think I have one more, and I'm looking for it. It is on page 7 of the regular Calendar. It is right in the middle of the page and it is Senate Bill 357, and I would move that the Senate do concur with House Amendments No. 1, 2 and 3 with Senate Bill 357.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Marovitz, would you care to explain the amendments briefly?

SENATOR MAROVITZ:

I certainly will. Just a second. Just a second. Soon as I get the file, I'll be very happy to do it. Okay...okay. Here we are. We are ready.

PRESIDING OFFICER: (SENATOR BRUCE)

You're on.

SENATOR MAROVITZ:

Okay, I'm on. Amendment No. 1 just changes the word "committed to" instead of the word "confined to" and that would be...that would mean that the...that the defendant has been, in fact, convicted and committed to a...a prison rather than confined in a prison, which might mean he's not convicted. It is a rather technical amendment but means he has been convicted and committed to a institution or prison, and I would ask...that's...that's Amendment No. 1. Amendment No. 2 puts the word "Federal or State" in...in there to indicate that we're talking about...Federal or State institution regarding a prison. And Amendment No. 3 has to do with loss of consortium in wrongful death suits extending...extending loss of consortium in...in wrongful death suits.

PRESIDING OFFICER: (SENATOR BRUCE)

...the motion is that we concur with House Amendments 1, 2 and 3 to Senate Bill 357. Is there discussion? Senator Egan.

SENATOR EGAN:

Yes, we had some lengthy conversation and lengthy discussion and debate about what loss of society means. Now you're going to include loss of society as a...as a part of the victim's recompense. Would you tell us what that is, Senator Marovitz?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

I would be very happy to do that. This would include in terms of a spouse, society, conjugal rights, consortium and services. That is the three things that would be included in...in terms of a spouse. There is case law today, Elliott versus Willis, a Illinois Supreme Court case...1982 Supreme Court case that has...that has allowed loss of consortium for a surviving spouse in Illinois. It is case law. We would be

codifying that. This also includes loss of society for next of kin.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

I think you're defining loss of consortium. We all know that that's been around a long time. It's been defined, litigated and adjudicated upon several times. The question is, what, in the name of God, is the loss of society? If...if I have a...a grandmother who likes martinis, and I sit and drink martinis with her, and as result of these injuries, I can no longer drink martinis with her, she is thereby entitled to an...an award, now because I can't drink martinis with her anymore. Senator Marovitz, would you either admit that or deny that?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

I will very definitely and definitively and affirmatively and specifically deny that. The mere fact that you can't drink martinis with your sweet, dear aunt would not allow compensation for loss of society. The case law holds that...that society, you would have to be living with the...with the individual and that there would have to be a dependency relationship, and the mere fact that you drink martinis with your aunt would not allow you to compensation for loss of society. What we're saying here in this amendment is if a...if a child is killed, that the...the parents would have a wrongful death action for loss of society and companionship with that child. Unfortunately, what happens today and the law today is if you...give you a hypothetical example, take a child of six years of age. You hit a child, unfortunately, of six years...age while driving a car, paralyze that child, the action against the driver of that

car would be very, very substantial in terms of the pain and suffering and the medical damages. If, unfortunately, you kill that child, the damages would be next to nothing because you are not able to prove what damages there, in fact, are. So, you are better...the driver is in a better position, unfortunately, having killed that child than he is having paralyzed that child, and there really is no action for any substantial damages if that child dies. We are saying, as court cases have said, that there is an action for loss of society or companionship for the survivors of that...of those individuals.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, I have the following Senators at ten-ten in the evening who wish to talk: Senator Schuneman...Senator Egan, your time had expired, Senator. Senator Schuneman,...or Senator Egan.

SENATOR EGAN:

On a point of personal privilege, if that is the fact. I let Senator Marovitz ramble on about loss of consortium. We all know what loss of consortium is. My question is, what is loss of society? There is no such thing in the Statutes. It doesn't exist. This is now creating something which he is citing case law to prove it exists. It doesn't exist. My question is, what is it? And I cite an example and ask Senator Marovitz to tell me either...either it's true or not. If I'm sitting with my grandmother drinking martinis and I lose my ability to do that, she has then a loss of society, according to my definition. There is no definition in this amendment, there is no definition in the Statutes because it has never been on the books before, and I'm suggesting that we repeal this, because it is obnoxious as far as I'm concerned.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Marovitz, you must respond.

SENATOR MAROVITZ:

I must respond because as a good lawyer and a good friend, I must correct my dear colleague. A Supreme Court case, Elliott versus Willis, and I have a brief in my hands, talks about loss of society. It is a very definitely a term of legal art. It is in all the briefs in regards to these types of cases, and I'm very surprised that my good friend, Senator Egan, doesn't know that loss of society is...is a term that is used in these cases very frequently and...and with increasing frequently in all case law and in Illinois Supreme Court case law.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. No, Senator Egan, no, we're just going to have to come back to you on the second round. We have Senator...Schuneman, Barkhausen, D'Arco, Geo-Karis, Lechowicz, at ten-ten. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Suffice it to say that...that the lawyers can argue the...the technical points of this issue. I think the rest of us ought to simply know that what's being attempted here is an attempt by, again, the trial lawyers to put something in Illinois Statutes that are not now there. It has long been the practice in this State, as I understand it, that a spouse can claim damages for loss of consortium but the sponsor and his sponsors, I think, are trying to break new ground here as far as the new Statutes of this State are concerned, and I think that...that an issue as important as this should have a lot of debate rather than being brought to us at the time that it is and expect the rest of us to...to know what we're doing. I...I would suggest that we hold off on doing this.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I don't know whether I can clarify anything but let...let me try to. I have taken a look at the...the Elliott versus Willis case, which Senator Marovitz has referred to, and...and a subsequent case or two, and I honestly don't believe that Elliott versus Willis can be read to extend the doctrine of loss of consortium or loss of society to wrongful death of a child. I've been looking at the more recent case of...of Trotter versus Moore which specifically looks at Elliott versus Willis and the...and the subsequent case of, I believe, it's Boulard versus Jones and then...Boulard versus Barnes, I'm sorry. In Boulard versus Barnes the court found a qualitative difference between the society of...of spouses and that of a child and pointed out that there's no common law recovery in Illinois for the loss of society...for the loss of a child society from a nonfatal injury or from a fatal injury; and...and what this Amendment 3 is clearly attempting to do is to...is to go way beyond the current common or statutory law in Illinois to not only provide for the loss of...loss of society in the case of a wrongful death of a child but basically to the loss of society to...to the next of kin in any...in any wrongful death at all, even the...the...even in the tearful grandmother situation that Senator...Egan somewhat facetiously pointed out in a...in a hypothetical. So, it would be...it would be one thing and I think...I think probably also wrong because I think this is an area that...that ought to be left to the common law to determine and because this is...this is an area that traditionally has been ruled by common law and there's no good purpose, I don't think, by having the Legislature weighed in at this point with a Statute. You know, interestingly enough, and I...bear with me for half a second, I know the hour is late, but two years ago when we were considering the question of...of...the Legislature was considering the...the question of...of modifying or repealing

the doctrine of contributory negligence in Illinois, and some of us felt well maybe that was something the Legislature ought to determine but the courts said, no, this is an area for common law, and the trial lawyers were on the other side of that one but...and thought that..that being an area of common law, it was best left to the courts and not to the Legislature. Now the shoe is on the other foot, I guess. In any case, I...I think Amendment 3 clearly is a significant extension of common and statutory law. It's not something that ought to be tacked on by an amendment like this. It deserves the deliberations of the Judiciary Committees in both Houses and, therefore, I would ask for the rejection of...of this amendment and nonconcurrency.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco. Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of Senate, as Minority Spokesman of Judiciary, I support Senator Marovitz. When you have a child eight or ten years of age and it's murdered or it's killed, and the common law says, too bad, you can't do anything about it, but, of course, if the child is hurt badly, you might have a claim for damages. How can you pay for the replacement for that child? You can't pay enough and I think we should straighten out the law and make some...in some new law definitely setting forth that a child is just as valuable when...if...if it were alive, it would be more valuable than dead, and I think it's a good step in the right direction.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. In all fairness, I owe my time to Senator Egan.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce. State your point, Senator.

SENATOR LECHOWICZ:

My point is that...acceptable timing and as far as yielding my time, I yield to Egan.

PRESIDING OFFICER: (SENATOR BRUCE)

Not in this Chamber, Senator. The rules of this Chamber allow each member to speak five minutes. When everyone else has spoken, he has the right to come back for a second five minutes on a second round. We have never allowed Senators to yield time. Senator Jeremiah Joyce...

SENATOR LECHOWICZ:

I stand corrected. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Jeremiah Joyce. Senator Lenke.

SENATOR LEMKE:

Just to note, Senator Egan, you know, this just doesn't apply to negligence action, this applies to people like Gacey or Herrin or those people that commit Class X Felonies, hideous crimes of chopping up your children and they run scot-free because the parents can't recover for these damages. Just remember that, the Statute applies not only to negligence action but also to intentional acts in violent crimes on young, innocent individuals. And I think this is the time in this State that we allow these actions in the Statutes so we can start getting after people like Herrin who may get out of jail and be able to collect a lot of money, and I think this is time we should do this so our...so the parents of these children can be compensated for the pain and suffering and the hideous...for the hideous acts that these felons commit. And you, for one, Senator Egan, should be for this because you are for Class X Felonies.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Let me comment on some of the debate that was on the question of whether this belongs before us at this hour or before the Legislature. Common law means that it's decided by case law, and we find in this State that at the present time when someone is killed and you bring an action for wrongful death, you are limited in the amount of the...damages that you can recover to a pecuniary loss, loss of dollars. And I ask each one of you to think for just a moment whether that is truly the only measure of the loss of a dear one, of a...of a relative, of a spouse or of a child. And I am sure that you have to agree that there are things beyond just a financial loss. How can you measure the value of a parent to a child or the child to a parent? We have a system of law in this State that allows a jury to place a financial value on things that are other than monetary, and...that is the only way that we have to compensate someone for the wrongful taking of a life whether it be by intent or whether it be by negligence; and that's all that this bill is trying to do, to recognize that there are losses for which you should be compensated when a relative is dead and that those losses are something more than just the dollar value of their earning capacity. There is the love, the guidance, the relationship, those are the things that the legal terms loss of consortium and loss of society really mean, and those should be measurable and they should be compensable. They should be awarded to the person from whom this dead person has been taken from. That is all this bill does, and I ask you to evaluate, at this late hour, whether if you are tragically the person from whom a loved one is taken, shouldn't there be a value placed on these things that are...above and beyond just income loss? I think they should. I think the bill deserves an Aye vote

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator D'Arco, did you wish to

debate?

SENATOR D'ARCO:

Thank you, Mr. President. I rise in strong opposition to this bill. This bill is for the trial lawyers. Let's make no mistake about it. They want this bill because they're going to get more money as fees when they try these cases before juries. And on the other side of the coin are the insurance companies, and they don't want this bill because...it's going to cost them more money. And all this hoopla about the little boy or little girl who is unfortunately deised is a lot of bologna, 'cause nobody cares about that little kid, except Leroy, he cares about Wayne Gacey and this murderer and that murderer, which has nothing to do with this bill at all. So, vote your conscience on this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Have all Senators who wished to speak a first time been recognized? Senator Egan is recognized for a second time.

SENATOR EGAN:

Thank you, and at this late hour I apologize for speaking again, but I...I do want to sincerely say that I think the intention perhaps is just, but what you're doing is you're opening up and...and my...my example was perhaps extreme but I don't think that it was impractical. You're opening up the victims to crimes to such a degree that nobody will get anything in the future. The...the victims of crimes today, principally spouses and their descendants, there's not enough for them today. Now, you're going to open it up for grandmothers, and uncles, and aunts, and all the other relatives to come in and ask for compensation when there's not enough for the...for the close relatives, the dear ones, the children and the...and the spouses, and that's all I'm saying, that's all I'm suggesting with my...with my example. I think it's...it's broadening the...the aspect of victims to a degree where you are really doing harm...great deal of harm

to those who we really want to help, and I urge your strong opposition.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I'd like to just get into the record and read briefly just a couple quotes...sorry, this is important to me like other issues are important to you, Senator Collins. The Anderson versus Lake case, and the court quoted, "That we therefore hold in the wrongful death action wherein the decedent was a minor, it is proper for the court to instruct the jury that loss of companionship and society which may be expressed by but is not limited to the words advice, assistance and protection are proper elements of damage for them to consider in reaching their verdict." In another case the court said, "The term society," Senator Egan, "embraces a broad range of mutual benefits each family member receives from the other's continued existence including love, affection, care, attention, companionship, comfort and protection." And finally, the court quoted, "The greatest losses arising from the wrongful death of a child are not those losses which are economic in nature. It is the loss of society, love, companionship, protection and affection which ususally constitutes the heart of the action." Ladies and Gentlemen, the...the key question in this case is are we going to limit the loss of a child...are we...going to limit the parents to the recovery for a pecuniary loss of which there is none in the loss of a child, or are we going to grant them the loss of society and companionship that they have been deprived of in the loss of that child? And I would agree with Senator D'Arco in one thing. I would agree that this is a case that the insurance companies are...are the ones on the other side, and the insurance companies are the ones on the other side because they don't

give a damn...they don't give a damn about a parent's or a next of kin's love and loss of love for loss of a child. They strictly want it limited to the pecuniary losses and not to the real heartfelt losses that there is for the loss of a child. This is an amendment that was sponsored by Representative Davis, Representative Jaffe and Representative Johnson, and for the loss of a child, the only loss that you can have if a child is killed is loss of society, and if we don't pass this loss...this bill, rather, there will be no compensation for the death of a child. I solicit your Aye vote for this concurrence motion.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate concur with House Amendments 1, 2 and 3 to Senate Bill 357. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 17, the Nays are 34, 1 voting Present. The Senate does not concur with House Amendments 1, 2 and 3 and the Secretary shall so inform the House. Senator Marovitz, did you have further bills? All right. Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This is Senate Bill 504. It is on page 10 of the original Calendar today and page 32 of the pink Calendar, and...Senate Bill 504 is a bill passed 58 to nothing in the Senate, required the Commerce Commission to approve a rate increases for five years after a change in ownership of water companies. The House placed two amendments on this bill. First, it excluded Chicago, and the second further restricted the Commerce Commission approval for the first five years to a...two hundred percent increase, and I would be happy to try to answer any questions or if not, I'd move for concurrence.

PRESIDING OFFICER: (SENATOR BRUCE)

SB 619  
concurrance

Is there discussion? Senator Philip.

SENATOR PHILIP:

Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Philip.

SENATOR PHILIP:

You say you're excluding Chicago? If it's good for downstate, why isn't it good for Chicago?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Well, it was a House amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Philip.

SENATOR PHILIP:

Are you saying you don't agree to the amendment?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

No, I asked for concurrence, Senator.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall the Senate concur with House Amendments 1 and 3 to Senate Bill 504. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 11, none voting Present. The Senate does concur with House Amendments 1 and 3 to Senate Bill 504, and the bill having received the required constitutional majority is declared passed. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. On page 12 of the Concurrence Calendar, Senate Bill 619, I would like to move that the

Senate concur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, if you can explain the amendment briefly.

SENATOR KUSTRA:

Yes. The bill makes prior inconsistent statements admissible as substantive evidence irrespective of the fact that they would otherwise be hearsay. The amendment adds another qualifying factor which must be met before the statement is admissible, that it was the statement of a hostile witness or a witness whose testimony has surprised the party calling him.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to concur. Discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, we might as well go along with this, in my opinion, although it...it really makes the bill almost useless. The amount of times that you get a surprise witness in a trial is very, very infrequent, and a hostile witness will have to be classified and established as being one, and by the time you get to there, why, you're not going to be able to use many prior inconsistent statements, but it's a start in that direction and...I would agree with the...the Senator that we ought to...I guess the motion is to concur. And while I'm up, there is no more T.V. cameras, could we reduce the lights down and cut the glare down a little bit?

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Mr. President. It is more intimate this way. I just...for our side, I...I concur with the remarks of Senator Sangmeister. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Geo-Karis...or Senator

Kustra may close.

SENATOR KUSTRA:

Move...move to concur.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 619. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 619, and the bill having received the required constitutional majority is declared passed. Senator Kustra, do you have further bills?

SENATOR KUSTRA:

Yes, Mr. President. On page 16 of the Concurrence Calendar, Senate Bill 910. I would move to...

PRESIDING OFFICER: (SENATOR BRUCE)

The leprechaun is back. If we could turn his microphone back on. Senator Kustra.

SENATOR KUSTRA:

I would move to concur with House Amendment No. 2. The bill...the original bill allowed the Department of Transportation to allocate water diverted from Lake Michigan watershed prior to notice and hearing. The original bill specified that the number of days...the time period within which a hearing must be held concerning the emergency allocation was ninety days. This changes that to sixty days. I would move for its concurrence.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? The motion is to concur. Discussion? Discussion? The question is, shall the Senate concur with House Amendment No. 2 to Senate Bill 910. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the

SB 63  
concurance

record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur with House Amendment No. 2 to Senate Bill 910, and the bill having received the required constitutional majority is declared passed. Senator Netsch, you had a bill that you wished to call?

SENATOR NETSCH:

Thank you, Mr. President. It is on page 5 of the regular Calendar, Senate Bill 63. The...I know...Senator Sangmeister may have young eyes but I don't. The...the amendment that the House put on which deals with the penalty provision is the same problem as Senator Watson's but exactly the opposite. They added the word, "knowingly" into the penalty provision and I would move to concur with their amendment to Senate Bill 63.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall the Senate concur...with House...the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 63. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 5, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 63, and the bill having received the required constitutional majority is declared passed. Senator Collins...what bill and what page?

SENATOR COLLINS:

Yes, thank you, this is my biggie for the year.

PRESIDING OFFICER: (SENATOR BRUCE)

Which...which bill, Senator, and what page?

SENATOR COLLINS:

No. Senate Bill 206, not 536. It's a very simple amendment. I move to concur with the House Amendment No. 2 to Senate Bill 206. The bill passed out of here on the Agreed

Bill List and the amendment does...I really haven't found out if it does anything at all, but it does add the word "service" and it's an attempt to clarify that the...adjudicatory hearing must not proceed until ten days after the notice has been serviced. I...I thought it was already clear in the bill. I move to concur.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to concur. Discussion? The question is, shall the Senate concur with House Amendment No. 2 to Senate Bill 206. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The Senate does concur with House Amendment No. 2 to Senate Bill 206, and the bill having received the required constitutional majority is declared passed. Senator Buzbee, if you'd join the three gentlemen down here we'd all...we'd have a quartet with their three outfits. All right. Senator D'Arco.

SENATOR D'ARCO:

Yes. Okay, let's go.

PRESIDING OFFICER: (SENATOR BRUCE)

What bill, Senator and what page?

SENATOR D'ARCO:

It's 613 and it's on...I don't know what...let me see what page it's on.

PRESIDING OFFICER: (SENATOR BRUCE)

Yes, it's on your regular Calendar on page 12. Page 12 of your regular Calendar.

SENATOR D'ARCO:

All right, the amendment...the House Amendment No. 3 amends the bill to provide that any provision of any ordinance enacted by any municipality or county which prohibits broader or different categories of discrimination that are prohibited by the Illinois Human Rights Act are not invali-

SB 1115  
concurrency

dated. So, it...if a ordinance prohibits a broader discrimination than by the Human Rights Act it would not be invalidated. I would ask that we concur in...House Amendment No. 3.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is on concurrence. Question is, shall the Senate concur with House Amendment No. 3 to Senate Bill 613. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur with House Amendment No. 3 to Senate Bill 613 and the bill having received the required constitutional majority is declared passed. Senator Carroll, you had a bill. Senator Lemke, do you have a bill, too?

SENATOR LEMKE:

...I want to nonconcur.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, we'll get to you. We're...we're down to two people, Senator Rock and Senator Carroll. So, if you have bills on either of the Calendars you want to act on this evening, please contact the Parliamentarian. Senator Carroll is recognized.

SENATOR CARROLL:

Thank you, Mr. President. On page 20 of the regular Calendar on Secretary's Desk Concurrence, Senate Bill 1115. The House correctly added an immediate effective date, and I move we do concur with House Amendment No. 1 to Senate Bill 1115. That is all the amendment did was the immediate effective date.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to concur with House Amendment No. 1. Discussion? Discussion? The question is, shall the Senate

concur with House Amendment No. 1 to Senate Bill 1115. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting...Present. The Senate does concur with House Amendment No. 1 to Senate Bill 1115, and the bill having received the required constitutional majority is declared passed. Senator Rock, on page 22 of the Calendar. Senator Rock is recognized.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. On page 22 is Senate Bill 1315 which was a minor amendment to the Commerce Commission Act. I would move to nonconcur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

The...the motion is to nonconcur. On the motion, discussion? Those in favor say Aye. Opposed Nay. The Ayes have it, and the Secretary shall so inform the House. Senator Lemke.

SENATOR LEMKE:

I'd like to nonconcur on House amendments to Senate Bill 25.

PRESIDING OFFICER: (SENATOR BRUCE)

And that is on page...

SENATOR LEMKE:

On the regular Calendar.

PRESIDING OFFICER: (SENATOR BRUCE)

...it's on page 5 of the regular Calendar. Senator Lemke, your motion is to nonconcur?

SENATOR LEMKE:

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion of the motion? Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it, and the Senate

nonconcur with House Amendment No. 1 to Senate Bill 25 and the Secretary shall so inform the House. Senator Lemke.

SENATOR LEMKE:

I have another bill I would like to concur on, Senate Bill 1122.

PRESIDING OFFICER: (SENATOR BRUCE)

What page, Senator?

SENATOR LEMKE:

Page 20 of the regular Calendar.

PRESIDING OFFICER: (SENATOR BRUCE)

Page 20 of the regular Calendar is Senate Bill 1122. Senator Lemke is recognized for a motion.

SENATOR LEMKE:

What does...what does the House Amendment No. 2 adds reference to Chapter 121, paragraph 6201-1, 6201-5 and 6506, provides that highway commissioners shall annually determine the amount to be raised for taxation for construction, maintenance and repair of roads. I ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke, do you wish to concur or nonconcur? Our Chair's...

SENATOR LEMKE:

Concur.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, the motion is to concur. Discussion? Senator Keats.

SENATOR KEATS:

A...a question about this. I'm...I'm...I've got my thing here that says the amendment, I'm trying to get the original bill. There's no limitation...I mean, there's no board, he just does it, no referendum, no limitation, whatever he says, right?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

My understanding that...this is an amendment that they want. I'm going to hold this and have...I'll have Dave Regner talk to you. I thought it was all agreed to.

PRESIDING OFFICER: (SENATOR BRUCE)

Take it out of the record. Senator Mahar, no...on that bill? Okay. Senator Demuzio, could you come up here? I have one bill I'd like to move.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan.

SENATOR EGAN:

While there's a lull, Mr. President, there are about ten resolutions residing in the Committee on Executive that the...the sponsors would like me to move to discharge, to which I have acceded. If this is not the improper time, I would like to proceed, so that we can get them on tomorrow's Calendar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there leave to go to the Order of Resolutions? Leave is granted. Senator Egan.

SENATOR EGAN:

All right. I move, then, Mr. President, that Senate Resolution 242, 250, 258, 259, 263, 268, 274 and House Joint Resolution 64 and Senate Joint Resolution 54 and 58 be discharged from the Committee on Executive to be placed on the Calendar for a hearing in the future.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan moves to discharge the Executive Committee on Senate Resolutions 242, 250, 258, 259, 263, 268, 274 and House Joint Resolution 64, Senate Joint Resolution 54 and Senate Joint Resolution 58, and that they be placed on the Order of Resolutions on the Calendar. Is there any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

HB 488  
nonconcurrency

Yeah, thank you, Mr. President and members of the Body. President Rock had prided himself in running a...a good shop here and I concur. And I really don't like this method, in fact, I have a resolution here myself, but is it possible...is it possible to only put those resolutions on that are absolutely necessary and then wait till the fall to hear the rest of them?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan.

SENATOR EGAN:

Frankly, I thought that's what we were doing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, if Senator Egan says that these are all urgent matters that have to be dealt with before June 30th and can't with till the fall, I'll accept it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. Senator Egan has moved to discharge the Executive Committee on the various resolutions. All those in...favor signify by saying Aye. Opposed Nay. The Ayes have it. Executive Committee is discharged and the resolutions will so show on the Calendar...Secretary's Desk. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I'd like to Table Senate Resolution 176.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis has moved to Table...Senate Resolution 176. Is leave granted? Leave is granted. The motion is Tabled. Senator Bruce.

SENATOR BRUCE:

Yes, on page 24 of the Calendar is House Bill 488. We

attached two amendments and my motion will be that we recede from Senate Amendments 1 and 2. And those dealt with amendments that Senator Friedland were interested in the exposition hall in his area and for some reason the House has decided that they would prefer not to. I've talked it over with Senator Friedland when we attached them. He indicated that if there was any problem with the Elgin amendments we would take them off. I don't think there's any problem, frankly, but the House sponsor...sponsors have indicated to me that they would prefer to run this without any further ado, and so I would move that we recede from Senate Amendments 1 and 2 to House Bill 488.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...any discussion? Any discussion? The question is, shall the Senate recede from Senate Amendments 1 and 2 to House Bill 488. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Leonard. Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. The Senate recesses from Senate...from amendments...Senate Amendments 1 and 2 to House Bill 488, and the bill having received the required constitutional majority is declared passed. All right, is there leave to go to the Order of Resolutions? Leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 60 offered by Senator Rock and Senator Philip.

And Senate Resolution 61 offered by...Senate Joint Resolution 60 and Senator Joint Resolution 61 offered by Senator Rock and Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I, too, would ask leave of the Body to have these resolutions bypass the Committee on Executive or discharge that committee, and ask that they be placed on the Calendar for action tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Secretary's Desk. All right, you've heard the motion by Senator Rock. Is leave granted? Leave is granted. It will show...show on the Calendar tomorrow. Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill with the following title, to-wit:

House Bill 265 with Senate Amendments 1 and 2.

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to recede from their Amendment No. 1 to Senate Bill 337, and further directed that they've requested a first Committee of Conference. The Speaker has appointed the members on the part of the House.

I have like Messages on the following Senate bills:

Senate Bill 459 with...where the Speaker has...where they've requested a first committee and...and the members have been appointed.

On Senate Bill 521, and on Senate Bill 849, Senate Bill 903, Senate Bill 972, Senate Bill 1064, Senate Bill 1222 and Senate Bill 1313.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

On the Messages just read by the Secretary, I would move that we accede to the request of the House that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Have we moved the motion to accede to the request of the House?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The motion is to accede to the...to the request of the...of the House...the numbers just read by the Secretary and that a...and that a second Conference Committee...all right, that the Senate recede to...to the request of the House and a Conference Committee be appointed. All in favor signify by saying Aye. Opposed Nay. The Ayes have it and the motion carries. The Senate accedes to the request of the House to appoint a Conference Committee. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Just to let the members know where we are, if...if we know, we are here this evening, obviously, we have pretty well finished up the current Calendar, for which I commend all of you. We went over close to three hundred pieces of business today. I have just left the House and the Speaker has...and the Minority Leader have been in touch with Senator Philip and I. They are deciding whether or not they wish to call 1470 this evening yet, and we have agreed to allow them a few more minutes to poll their membership and find out what they're about. So, if...I would beg your indulgence to stay with it for a few more minutes and we will keep you apprised. In no event will we be going much beyond eleven-thirty, in no event, if you know what that means.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, the other day I offered a resolution for Charlie Chew, and if you look over on the Republican side tonight you'll see the Minority Spokesman and everybody else with his buttons. What's going on around here, Pate?

PRESIDING OFFICER: (SENATOR DENUZIO)

The Senate will stand at ease.

PRESIDENT:

If I can have your attention, please. I have just conferred with the Speaker and even if they wish to go to that order of business tonight, they have a rule that the printed copy has to be proffered to the members an hour or two ahead of time, so...you have been mightily patient and very indulgent. Senator Vadalabene moves that the Senate stand adjourned until ten o'clock tomorrow morning. Ten o'clock tomorrow morning. Thank you all very much.