

85TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 22, 1987

PRESIDENT:

The hour of nine having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Our prayer this morning by the Reverend Eugene Weitzel, the Director of Chaplains at St. John's Hospital, Springfield, Illinois. Father.

REVEREND EUGENE WEITZEL:

(Prayer given by Reverend Weitzel)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. I move that the reading and approval of the Journals of Tuesday, May 12th; Wednesday, May 13th; Thursday, May 14th; Monday, May 18th; Tuesday, May 9th; Wednesday, May 20th and Thursday, May 21st, in the year 1987, be postponed pending arrival of the printed Journals.

PRESIDENT:

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

SECRETARY:

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

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

House Bills 65, 73, 292, 380, 479, 494, 705, 805, 859, 919, 932, 971, 998, 1021, 1055, 1071, 1105, 1135, 1149, 1169, 1174, 1177, 1258, 1301, 1313, 1819, 1920, 1970, 2157, 2162, 2193, 2225, 2322, 2358, 2403, 2404, 2425, 2603, 2700, 2702, 2786. Passed the House May 21, 1987.

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

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

House Joint Resolution 79. It is congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

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

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

House Joint Resolution 37.

PRESIDENT:

Executive. All right, if I can have your attention, when we begin we're going to begin where we left off yesterday which is page 9. The middle of page 9. We will begin with 1166. So, for those...it's Senators Jones, Lechowicz, Marovitz, Savickas, Newhouse and Macdonald will be the first four or five out of the box this morning and while they are gathering up their files, Madam Secretary, with leave of the Body, we'll move to the...we'll move to page 23 on the Calendar, on the Order of House Bills 1st Reading. House bills 1st reading, Madam Secretary.

SECRETARY:

House Bill 109 offered by Senator Savickas.

(Secretary reads title of bill)

House Bill 176 offered by Senator Marovitz.

(Secretary reads title of bill)

House Bill 192 offered by Senator Marovitz.

(Secretary reads title of bill)

House Bill 416 offered by Senators Dudycz and Degnan.

(Secretary reads title of bill)

House Bill 423 offered by Senator Vadalabene.

(Secretary reads title of bill)

House Bill 451 offered by Senator Carroll.

(Secretary reads title of bill)

House Bill 484 offered by Senator Maitland.

(Secretary reads title of bill)

House Bill 507 offered by Senator Marovitz.

(Secretary reads title of bill)

House Bill 508 offered by Senator Berman.

(Secretary reads title of bill)

House Bill 509 offered by Senator Berman.

(Secretary reads title of bill)

House Bill 510 offered by Senator Marovitz.

(Secretary reads title of bill)

House Bill 546 offered by Senator Marovitz.

(Secretary reads title of bill)

House Bill 547 offered by Senator Marovitz.

(Secretary reads title of bill)

House Bill 548 offered by Senator Marovitz.

(Secretary reads title of bill)

House Bill 549 offered by Senator Marovitz.

(Secretary reads title of bill)

House Bill 593 offered by Senator Macdonald.

(Secretary reads title of bill)

House Bill 639 offered by Senator Collins.

(Secretary reads title of bill)

House Bill 655 offered by Senator Alexander.

(Secretary reads title of bill)

House Bill 699 offered by Senator Hall.

(Secretary reads title of bill)

House Bill 706 offered by Senator Severns.

(Secretary reads title of bill)

House Bill 710 offered by Senator Hall.

(Secretary reads title of bill)

House Bill 715 offered by Senator...Senators J. J. Joyce  
and Marovitz.

(Secretary reads title of bill)

House Bill 724 offered by Senator Savickas.

(Secretary reads title of bill)

House Bill 756 offered by Senator Topinka.

(Secretary reads title of bill)

House Bill 757 offered by Senator Donahue.

(Secretary reads title of bill)

House Bill 758 offered by Senator Etheredge.

(Secretary reads title of bill)

House Bill 759 offered by Senator Watson.

(Secretary reads title of bill)

House Bill 760 offered by Senator Etheredge.

(Secretary reads title of bill)

House Bill 761 offered by Senator Etheredge.

(Secretary reads title of bill)

House Bill 762 offered by Senator Etheredge.

(Secretary reads title of bill)

House Bill 763 offered by Senator Etheredge.

(Secretary reads title of bill)

House Bill 764 offered by Senator Etheredge.

(Secretary reads title of bill)

House Bill 765 offered by Senators Raica and Dudycz.

(Secretary reads title of bill)

House Bill 766 offered by Senator Weaver.

(Secretary reads title of bill)

House Bill 768 offered by Senator Dudycz.

(Secretary reads title of bill)

House Bill 769 offered by Senator Fawell.

(Secretary reads title of bill)

House Bill 771 offered by Senator Hawkinson.

(Secretary reads title of bill)

House Bill 774 offered by Senator Watson.

(Secretary reads title of bill)

House Bill 775 offered by Senator Etheredge.

(Secretary reads title of bill)

House Bill 776 offered by Senator Donahue.

(Secretary reads title of bill)

House Bill 779 offered by Senator Schaffer.

(Secretary reads title of bill)

House Bill 780 offered by Senator Karpel.

(Secretary reads title of bill)

House Bill 781 offered by Senator Fawell.

(Secretary reads title of bill)

House Bill 782 offered by Senator Haitland.

(Secretary reads title of bill)

House Bill 785 offered by Senator Etheredge.

(Secretary reads title of bill)

House Bill 790 offered by Senator Mahar.

(Secretary reads title of bill)

House Bill 793 offered by Senator Dudycz.

(Secretary reads title of bill)

House Bill 810 offered by Senators Brookins and Poshard.

(Secretary reads title of bill)

House Bill 810...819 offered by Senator Alexander.

(Secretary reads title of bill)

House Bill 848 offered by Senator Collins.

(Secretary reads title of bill)

House Bill 941 offered by Senator Vadalabene.

(Secretary reads title of bill)

House Bill...I mean,...House Bill 1014 offered by Senator  
J. J. Joyce.

(Secretary reads title of bill)

House Bill 1063 offered by Senator Rock.

(Secretary reads title of bill)

House Bill 1064 offered by Senator Rock.

(Secretary reads title of bill)

House Bill 1065 offered by Senator Alexander.

(Secretary reads title of bill)

House Bill 1163 offered by Senator Carroll.

(Secretary reads title of bill)

House Bill 1363 offered by Senator Lechowicz.

(Secretary reads title of bill)

House Bill 1376 offered by Senator Lechowicz.

(Secretary reads title of bill)

House Bill 1636 offered by Senator Carroll.

(Secretary reads title of bill)

House Bill 1685 offered by Senator Carroll.

(Secretary reads title of bill)

House Bill 1723 offered by Senator del Valle.

(Secretary reads title of bill)

House Bill 1848 offered by Senator Berman.

(Secretary reads title of bill)

House Bill...1868 offered by Senator Holmberg.

(Secretary reads title of bill)

House Bill 2031 offered by Senator Poshard.

(Secretary reads title of bill)

House Bill 2048 offered by Senators Rock and Philip.

(Secretary reads title of bill)

House Bill 2049 offered by Senators Rock and Philip.

(Secretary reads title of bill)

House Bill 2050 offered by Senators Rock and Philip.

(Secretary reads title of bill)

House Bill 2084 offered by Senator Mahar.

(Secretary reads title of bill)

House Bill 2114 offered by Senator J. J. Joyce.

(Secretary reads title of bill)

House Bill 2146 offered by Senator Degnan.

(Secretary reads title of bill)

House Bill 2249...offered by Senator Severns.

(Secretary reads title of bill)

House Bill 2323 offered by Senator Woodyard.

(Secretary reads title of bill)

House Bill 2493 offered by Senator J. J. Joyce.

(Secretary reads title of bill)

House Bill 2756 offered by Senator Carroll.

(Secretary reads title of bill)

House Bill...2797 offered by Senators Ralph Dunn and  
O'Daniel.

(Secretary reads title of bill)

House Bill 2810 offered by Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 2826 offered by Senator Rigney.

(Secretary reads title of bill)

House Bill 1485 offered by Senator Weaver.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

All right, ladies and gentlemen, it is nine-fifteen. We have, as you know, from the back of the Calendar, you can see we have a hundred and seventy-five bills on the Order of 3rd Reading in addition to the Agreed Bill List. Let me remind you that the Agreed Bill List, the...the opportunity to object and pull the bill off or the opportunity to vote on individual roll calls on individual bills will close out at noon today, noon on Friday, as per the memorandum. So, I'd ask you to take a look while we're going through. The Chair will be preparing to move right through the hundred and seventy-five bills. We will start at the middle of page 9 and just continue right on through, turn the corner and start over until we get back to page 9. So, I would ask the members to please...please be prompt. Remember, if you will, that the Weaver-Donnewald Rule is in effect, as best we can, as reasonably as we can and with that, we ought to get

AB 1169  
3rd Reading

started so that we can, hopefully, get out of here today.  
Senator Vadalabene, for what purpose do you arise, sir?

SENATOR VADALABENE:

Yes, I don't recall the number yesterday, it was sponsored by Senator...Adeline Geo-Karis, and I think it got three votes, and I was one of the Aye votes while I was down in my office taking some medicine, and I think if I would be recorded as No on that bill, then it would be a good...I think then that would be the record for the Session.

PRESIDENT:

Okay. Senator Vadalabene, the record will so reflect. Senator Geo-Karis appreciates the effort anyway, Sam. She was...all right, it's Friday, May 22nd, this is the day, let's go get them. On the Order of Senate Bills 3rd Reading, the middle of page 9, is Senate Bill 1166. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1166.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. I ask leave to return Senate Bill 1166 back to the Committee on Insurance, Pensions and Licenses.

PRESIDENT:

All right, the motion is to recommit Senate Bill 1166 to the Committee on Insurance. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. 1166 is recommitted. 1169. On the Order of Senate Bills 3rd Reading is Senate Bill 1169, Madam Secretary.

SECRETARY:

Senate Bill 1169.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1169 would eliminate commercial fishing net operations in our portion of Lake Michigan. Ohio, New York, Michigan and most recently Indiana have passed legislation to eliminate gill nets in their Great Lake waters. Gill nets have been proven damaging to the nontarget game fish species. The commercial fishing interests have argued that other forms of nets are not practical in Lake Michigan; therefore, Senate Bill 1169 has been proposed to eliminate all nets for commercial fishing in our waters. As recently as two weeks ago, Indiana has made the same provision and I'm sure you're familiar with John Hussar from the Tribune who strongly recommends that a similar proposal of this bill be adopted by this Body.

PRESIDENT:

Discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT:

Indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

How many...how many commercial fisheries...you know, commercial boats are there actually out now that belong to the State of Illinois?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

There are no commercial boats now owned by the State of

Illinois. There are five commercial fishermen who have...that have the opportunity to fish the Great Lake waters or Lake Michigan in our portion of Illinois. Only four presently...or have the opportunity by...by the state. So...to your answer, four commercial fishermen fish Lake Michigan.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Well, my understanding is, according to our analysis, that we are talking...that the sportsmen are talking about buying out these boats...licenses. Wouldn't that make a lot more sense?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Question was...would it make more sense. Indiana did not provide any type of monetary reimbursement to the twenty commercial fishermen that were fishing the Indiana portions. Ohio made some provisions at a very meager amount based upon the catch that was brought in over a two-year period. This bill does not provide any type of reimbursement to the commercial fishermen. There was another proposal that was pending that would require a three million dollars allotment to be divided by four...by these four people, but it wasn't based upon any rhyme or reason, and for that reason, I thought Indiana made the best approach and as well as Michigan didn't provide any type of compensation as far as when they bought out their people. In fact, I want to commend the Department of Conservation who provided me with this information that made a...a...a...really a good case study of how other states have handled this problem, and this bill does not provide any compensation.

PRESIDENT:

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to this bill, not because of what the good Senator is trying to do and that is for the sport fisherman in Lake Michigan. We've put a lot of money into stocking fish and things of this nature to improve the sport fishing in Lake Michigan; however, what this bill does is simply take away a license that the State of Illinois has provided to this date and just say, sorry, folks, all the investment that you've put into your fishing operation, you can't do anymore, and I think that there ought to be some way that we can work out some sort of payment to these fishermen for the business that they have, and I would just hope that you think about that when you vote on this legislation.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDENT:

Indicates he'll yield, Senator Watson.

SENATOR WATSON:

Senator, you mentioned this is Lake Michigan. We have a lot of commercial fishing in Carlyle Lake in our area. This has no effect then whatsoever outside of Lake Michigan, is that correct?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

That is absolutely correct, sir.

PRESIDENT:

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Lechowicz, I sympathize, I think, with what you're trying to do here, living along the lake as I do. Is...is this a Department of Conservation bill?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

No, sir, it is not. Basically, it's a...a sportsmen's coalition bill. The Heritage Boat Club, the Sportsmen's Legislative...Coalition, the Calumet Harbor Sports Fishermen, the Chicago Sport Fishing Association, FISH, Illinois Charter Cabins Association of Lake Michigan. I can list you thirty-five organizations that have worked in this type of legislation that have been very successful in other states and probably know John Stevens who's probably called each and every one of you on behalf of this bill, these...this is the purpose and why I told them that I would sponsor this legislation. Unfortunately,...and it was...Senator Rigney asked a question in committee as far as...exactly what does the licensing cost? It costs five hundred dollars and the loss of fish that is supplied by this state and other states that are, unfortunately, trapped in these nets is twenty-five thousand dollars in comparison to the five hundred dollar fee per license. So, I don't know how you figure cost and...but I know who...as far as the sportsmen...how they feel, the money that is being spent to raise fingerlings that we provide through conservation and in turn...unfortunately, the case is that they are trapped and killed at a very large rate, and for this reason, the...all these associations have been working the Great Lake States and asking that this type of netting be eliminated.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Has the question ever...been raised as to whether what we're trying to do here might be unconstitutional in the sense that it might allegedly be an interference with interstate commerce. I...I know up in the northern part of the lakes there are...treaty rights that have been given to the Indians to be able to use commercial nets and I know...of course, here we're only attempting to regulate the Illinois portion of the lake, but I just wondered whether this might be something that's a matter of Federal regulation rather than state and...and, therefore, perhaps an interference with interstate commerce.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, first of all, we don't have any Indians that commercially fish our portion of Lake Michigan. If there were...the...the ones that I'm familiar with are...fish out of Wisconsin. Michigan successfully already has passed legislation banning the gill net. Indiana as well. To my knowledge, neither one of them had that problem that you raised.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Senator Lechowicz, I'm going to support your bill because I happen to think that the recreational fishery we have up on the shores of Lake Michigan is one of the really great successes of our society and I don't think that...and with the changing makeup of the fish and the type of fishery we have on the lakes, I'm afraid these commercial fishermen no longer really have an appropriate role. I am, I guess,

bothered by the simple, if you will, wiping out of their businesses, and while I...I might tend to agree with you that a three million dollar figure may not be appropriate, I would hope and urge that this bill as it moves through the process that there could be some negotiations, and if a reasonable figure can be arrived at, I think it would be a good investment and...and I think we have an obligation to treat these five businesses fairly; but I do agree with you, the bottom line is that that type of commercial fishing is no...longer appropriate on the Lake Michigan shore...near Illinois and I would urge everyone to support the bill, but I would...I would hope some sort of a compromise could be worked out for those people.

PRESIDENT:

Further discussion? Senator Lechowicz may close.

SENATOR LECHOWICZ:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. I do appreciate the amount of time that was spent on this bill. The bill is placed in good faith in reference to trying to address a situation that, unfortunately, exists where...this state and many other states have tried to bring back sport fishing in the...in the great Great Lakes and, unfortunately, through the netting procedures, many of the fingerlings that are placed in the lakes are killed in the process, and the rate of return is staggering as far as a loss not only to the State of Illinois but adjoining states. Other states have looked at this situation, addressed it and have said, yes, we have realized the fact that gill netting is a...time...time has come and that's exactly what this bill does and I encourage your support.

PRESIDENT:

Question is, shall Senate Bill 1169 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

who wish? Take the record. On that question, there are 40 Ayes, 12 Nays, 5 voting Present. Senate Bill 1169 having received the required constitutional majority is declared passed. 1170. On the Order of Senate Bills 3rd Reading is Senate Bill 1170. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1170.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 1170 attempts to answer a problem that has been going on across the country and that is the agents...sports agents giving money to undergraduates who participate in interscholastic competition to...to influence them...to hire them as...as...as agents. We make this a Class A misdemeanor now. This is definitely a violation of NCAA rules. These agents have been preying upon a lot of the athletes across the country. The agents agree with this bill and it's only the unscrupulous few that do this. It also deals with a problem that is similar to the one that has severely damaged SMU, Southern Methodist University, its students, its faculty, its reputation as a educational institution where a very few boosters were bribing students to participate in...in interscholastic activity. It makes...that violation of the NCAA rules, bribing a student with specific intent to influence him to attend the...the university to participate in athletics, a misdemeanor and I would ask for your Aye vote.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1170 pass. Those in favor will vote

Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 1170 having received the required constitutional majority is declared passed. 1171, Senator Savickas. On the Order of Senate Bills 3rd Reading is Senate Bill 1171. Read the bill, Madam Secretary.  
SECRETARY:

Senate Bill 1171.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Senate Bill 1171 in its amended form addresses two questions; one, its...property tax exemption for the disabled veterans in specially adapted housing that...increases from thirty thousand to forty-seven five of assessed value. These are for those disabled veterans who...who have permanent and total service connected disability. We're talking approximately four hundred throughout the State of Illinois...four hundred throughout the State of Illinois. The other section addresses the exemption for not-for-profit organization that have adult education services. We're talking about the YMCAs and the purpose of the amendment was to make it easier for the YMCA, United Way and Jewish Federation of Metropolitan Chicago to qualify for property tax exempt status for their adult program functions. I would move its favorable consideration.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1171 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all

voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 1171 having received the required constitutional majority is declared passed. Senator Schuneman, for what purpose do you arise, sir?

SENATOR SCHUNEMAN:

On a point of personal privilege, Mr. President.

PRESIDENT:

State your point.

SENATOR SCHUNEMAN:

Several members have inquired of both Senator Jones and I about where we are with the Nurse Practice Act, and so we have had distributed to the desks of the members this morning a...a memo from us explaining the various positions on that. So, with all the paper that's coming onto your desk, if you're interested in that issue, you might look for that paper.

PRESIDENT:

The Chair would point out that that bill is at the bottom of the next page, so we will be...getting to it relatively soon. Senator Newhouse, 1173. On the Order of Senate Bills 3rd Reading is Senate Bill 1173. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1173.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Good...thank you, Mr. President. This...this...this is a bill that we passed out yesterday with a favorable roll vote. I'd ask for a favorable roll call.

PRESIDENT:

Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in...in opposition to the bill and like one of my colleagues who remarked yesterday when we were debating Senate Bill 1080...who indicated that he had been on both sides of this issue at different times, I have to count myself in that group as well, because I have supported this idea, but I cannot support this bill and let me tell you why. It is...it includes a much broader definition of the proprietary schools than the bill which passed the other day, and I think that we should not embark on this program of providing aid...scholarships to the students in these schools and take...until we take a long, hard look at the institutions that we would be supporting indirectly through the students under the terms of this program. I voted against 1080 yesterday because it did not have that consumer protection package amended into it, but this group of...of schools needs...or this bill needs that protection, that amendment even more than 1080 did. Let...just let me cite one example...if this bill were to pass, there is a school whose students would receive scholarship support to the tune of about...as much as a million dollars. This same school already is receiving close to that figure, eight hundred thousand dollars, through the Federal Government at the present time. This school has enrolled a class...or a total of five hundred students and out of those five hundred students, four hundred and ninety-two of them have dropped out, only eight graduates. So, what the Federal Government has...has accomplished through this eight hundred thousand dollars in aid is eight graduates, eight people ready to enter the work force, and you don't have to be a mathematical wizard to see that that amounts to a hundred thousand dollars per graduate. Why should the State of Illinois put another

million dollars into the same school and increase that...that cost or that price per graduate to over two hundred thousand dollars per student? I think this is not a good bill. We should not support it and I would urge a No vote.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. Senator Newhouse, I really think we need to take another look at this, and I, again, as I said yesterday, understand what we're trying to do here but I just don't...just don't think it's working that way. We've done some checking and...and the schools also, as Senator Etheredge has said, there are some real problems and they've got an unbelievable refund mechanism too. For example, a student could go to school there just one week, drop out and the school ends up keeping forty percent of the money, the state money. It happens just like that. It isn't a good...it's a for-profit school and...and I can understand how they make a profit with that drop-out rate, but even to a broader point, Senator, students from...from your district access to higher education a great portion of the scholarship money we have, and you and I both know that, and...and that's as it should be, to Illinois State, to Northern, to Southern, to Western, and if we continue to do this...if we continue to do this, this erodes the enthusiasm for funding the Scholarship Commission money and that troubles me a great deal. If this state was really heavily funded...capable of funding all these proprietary schools, then it might be a good thing to do, but those very students, those academic students who are accessing the Scholarship Commission funds right now from your district will have pressure put on those funds, I'm convinced of it, and I think for that reason and others, the bill ought to be defeated.

PRESIDENT:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, just one comment. Senator Maitland, I agree with what you said, but we've given it to everybody else yesterday, why shouldn't we...why shouldn't we go along with the program this morning?

PRESIDENT:

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

SENATOR NEWHOUSE:

Thank you. Mr. President, I...I'd just like to point out to...to the Senators on both sides of the aisle that this is...this is...this is restricted to schools with the three years national...accreditation, so the accreditation is not a problem. There is a two percent cap on the amount of dollars that could go into this, so that it means it'll never go beyond two percent of what the funds...of...of the...of the funds that are available for scholarships in other programs; however, it will be a...separate appropriation. I would solicit your favorable roll call.

PRESIDENT:

Question is, shall Senate Bill 1173 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, there are 25 Ayes, 29 Nays, 2 voting Present. Senate Bill 1173 having failed to receive the required constitutional majority is declared lost. 1175, Senator Newhouse. On the Order of Senate Bills 3rd Reading, bottom of page 9, is Senate Bill 1175. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1175.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

I don't wish to call that bill, Mr. President.

PRESIDENT:

1176? Take it out of the record, Madam Secretary. 1176? On the Order of Senate Bills 3rd Reading, bottom of page 9, is Senate Bill 1176. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1176.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Let me just say to...to all the Senators present that we're in the discussions now with the Board of Higher Education because there may be some overlapping in this bill. If so, I will do what's necessary in the House including withdrawing if that...if that is found to be the case; however, this is our last...I'd like to get this bill out. I'd ask for a favorable roll call.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1176 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, there are 29 Ayes, 24 Nays, 2 voting Present. Senate Bill 1176 having failed to receive the required constitutional majority is declared lost. Senator Vadalabene, for what purpose do you arise, sir?

SENATOR VADALABENE:

Yes, as a...as a neutral person...

PRESIDENT:

I beg your pardon. Wait a minute, I beg your pardon. Senator Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

Ask that it be placed on consideration postponed.

PRESIDENT:

Yes, that request is in order. The gentleman has requested that further consideration on Senate Bill 1176 be postponed. Without objection, leave is granted. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes,...as a point of...of observation, I really believe that my colleagues on both sides of the aisle, that if you're going to vote for the bill, vote for it; if you're not going to vote for it, don't...vote against it, but don't play with your switches. I don't think it's fair to the sponsor or to the President of the Senate.

PRESIDENT:

All right, top of page 10...on the top of page 10, Senate Bill 1177. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1177.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Senate Bill 1177 is a part of a package of bills which was submitted by the Citizens Council on Women and resulted from public hearings which we have had over this past year. 1177 amends the...Minority and Female Business Enterprise Act to include the Board of

SB 1181  
3rd Reading

Trustees of the University of Illinois, SIU, the Board of Governors of the state colleges and universities and the Board of Regents. That's what the bill does and I ask for your consideration and...

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1177 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 4 Nays, 2 voting Present. Senate Bill 1177 having received the required constitutional majority is declared passed. 1181, Senator Marovitz. On the Order of Senate Bills 3rd Reading, Senate Bill 1181. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1181.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. The Illinois commercial relocation of trespassing vehicles law was enacted in 1979 by this Body, and since that time it's been the subject of various piecemeal amendments; however, the law has never been systematically...revisited in light of the experience since 1979. Senate Bill 1181 is a clean-up measure encompassing a wide range of modifications from correcting typographical errors to closing loopholes that are used by unscrupulous relocaters to evade regulations which...is designed to protect the public and the consumers and these modifications are long overdue. Among those modifications designed to close loopholes and protect the public from unscrupulous relocaters or closing loopholes

which they use to evade licensing requirements, strengthening enforcement provisions by making civil penalties applicable to unlicensed relocaters, facilitating the supervised disposition of junk vehicles in accordance with our Chop Shop Act. There are no fees in this bill whatsoever. It's left up to the Commerce Commission. I ask for your support.

PRESIDENT:

Discussion? Senator Watson.

SENATOR WATSON:

Yes, I'd like to question the sponsor, if I could.

PRESIDENT:

He indicates he will yield, Senator Watson.

SENATOR WATSON:

Who's affected by this?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Commercial relocaters.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

In what area of the state?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well, I would say primarily up in Cook County. There are...there are some commercial relocaters in other areas of the state but it's primarily up in Cook County.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, I understand it's Cook County and DuPage County. Okay. Then I want to ask a question about the...the fees and you took those out. Okay. What are the fees then?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

At the request of the committee,...I took the fees out. The fees are not in the bill...they are left up to the Commerce Commission by the rule making provisions. They will hold hearings and they will set the fees. That is what the committee...in fact, that is what Senator Topinka wanted and so I took the fees out of the bill and left it up to the...the commission to hold hearings and set the fees themselves rather than do it by Statute.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

The recent decision by the Commerce Commission in regard to truck fees, they raised some of these four and five hundred percent, so we're just going to let them indiscriminately make that decision on what those fees might be, 'cause right now, I believe, they're two hundred dollars and then fifty dollars per truck, and your legislation originally was going to raise that to twenty-five hundred dollars, if I'm correct, but anyway, now we rolled it back. The...the decision is going to be made by the Commerce Commission. I just think their track record and what they've done recently may not be that great. Another question. On page 3 of the bill, lines 8 and 9, it says, "Set reasonable rates for other services provided by relocaters." Can you tell me what that statement is referring to and maybe the definition of what a...what a "reasonable rate" might be and also what is "other services"?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well, one of those would be storage fees. In other

words, when a...when you tow a car in, you relocate a car. They are allowed to...to charge a storage fee if they're kept there for a number of days and if that storage fee should be increased, and I'm not sure what the fee is today, that would be one of those fees.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Yes, sir, thank you. What is that fee and...and...are we talking about a hookup charge or anything else that might be hidden in here that could be...raise those rates?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

No, not to my knowledge...the example I gave you was the storage, we're not talking about the hookup fee.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Senator Marovitz, I apologize for not being as familiar with this bill as I probably ought to be. On a fairly regular basis, some of my constituency frequents your great city and your immediate area and from time to time I...I get some rather interesting stories. I...I guess I'd call them horror stories about some of the towing outfits. I think there was a...rather famous outfit called Lincoln Towing at one time; in fact, they inspired a rather interesting song as I recall. I have a...in the words of my...one of my great heroes, Hans Solo, a bad feeling about this bill because I have a bad feeling about the towing industry, and while I recognize that they are necessary, I do not want to find out that I have voted for a bill and then find out that some of my constituents have gone into Chicago or Wheaton, although, frankly, I don't know why they go to Wheaton, and park their

car and unknowingly or perhaps knowingly, let's be honest, had that car towed and then find themselves with a seven or eight hundred dollar bill to get their car out. Is there anything in this bill that gives those four-wheeled vultures with hooks more power to inflict pain on my constituencies, anything of any kind?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Senator Schaffer, I am as sensitive to this subject as you are, I will tell you that. I...the original bill which brought them under the Commerce Commission, made them get licenses, prevented them from having criminal...former individuals with criminal records as drivers is the bill that I wrote because my constituents are...are the ones...and Senator Netsch's constituents, primarily subjected to the ravages of many of these unscrupulous relocaters, some of whom you've mentioned in debate. I, too, am very concerned about that and this bill was drafted in conjunction with the Commerce Commission to tighten up loopholes that some of those unscrupulous companies use.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, to get back to my question, is there any...am I going to find out or are any of us going to find out down the road that because of the passage of this bill, my...my constituents are going to charged more for a tow, for a fee and does this bill...I know they can't have a criminal record, what about war crimes? Have you gone into that? I mean, some of these guys are really something and they really they...they've got you by the throat and, boy, I'll tell you, you know, the horror stories that come out of it and...you...I'm just very suspicious. Now, I've, knock on

wood, never had this happen to me 'cause I don't drive a car in Chicago unless I absolutely have...but I see that there are a few past victims nodding their heads here. Please assure us that we're not inflicting this on our constituency.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. Senator Schaffer, I can attest to the towing situation in the City of Chicago. I was there about two months ago and stayed at a hotel and they told me to park where I parked, and the next morning my car was gone, I thought it was stolen but I eventually found it, it was underground somewhere in the bowels of the city. I got there and stood in line for sometime and this lady was...was the clerk and there was this man in front of me who was about six foot four and weighed about three hundred pounds and she had him down to tears by the time it got to be my turn. She...he didn't have the title to his car, now I don't know how he was supposed to have the title to his car, but it was with his wife in Mississippi and it was awful...he didn't get his car either. I'm up next and it's fifty dollars and I have three twenties to give her, it's cash only and, well, can't you see the sign, it's only...cash only and it has to be the correct change. I said, well, this man in front of me gave you five tens. Don't you see the sign? So, I have to leave, get a cab, go get my change, you know, and this thing goes on and on and on, and I truly hope that I get a...some of those people in the Town of Essex and I'll have their cars parked in the bottom of the strip mine.

PRESIDENT:

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

SENATOR MAROVITZ:

No, I can't top that one. I just solicit an Aye vote to

get at these people.

PRESIDENT:

Question is, shall Senate Bill 1181 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 8 Nays, 5 voting Present. Senate Bill 1181 having received the required constitutional majority is declared passed. Senator Joyce on 1192. 1186. Senator Jones seeks leave of the Body to return Senate Bill 1186 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1186, Madam Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Jones.

PRESIDENT:

Senator Jones on Amendment No. 3.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 3 to Senate Bill 1186 delete the provisions which calls for a...tax increase for the Chicago Park District and I move its adoption.

PRESIDENT:

All right, Senator Jones has moved the adoption of Amendment No. 3 to Senate Bill 1186. Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

I...I...I...I, frankly, don't understand the explanation. I don't have the amendment, perhaps the gentleman could run through it one more time for us.

PRESIDENT:

Senator Jones.

SENATOR JONES:

It was Senate Bill 211 which was amended on to this bill

in error which calls for the increase in the tax levy rate for the Chicago Park District as it relate to its contribution to pension. I talked to Senator Savickas, he understands it's being taken out and I move its adoption.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

A point of order, Mr. President. I was...detracted here for a minute. We were on 3rd reading. Where are we now?

PRESIDENT:

The gentleman asked leave of the Body to return Senate Bill 1186 on 3rd reading to the Order of 2nd for the purpose of this amendment.

SENATOR SCHUNEMAN:

Okay. Thank you and...and he's removing the Chicago tax provision?

PRESIDENT:

That is correct, as I understand it. All right, Senator Jones has moved the adoption of Amendment No. 3 to Senate Bill 1186. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Jones.

SENATOR JONES:

Yes, I'd like leave to get back to this at a later time.

PRESIDENT:

All right, with leave of the Body, we'll get right back to it. Madam Secretary, if you just hang on to that one, we'll get back to it. 1192, Senator Barkhausen. On the Order of Senate Bills 3rd Reading, page 10, Senate Bill 1192. Read the bill, Madam Secretary.

SB 1192  
3rd reading

SECRETARY:

Senate Bill 1192.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 1192...raises...actually doubles the amount of the minimum insurance coverage that is required to be part of an auto liability policy. The rates are now set at...at the very low levels of...of fifteen dollars per individual, thirty thousand dollars per accident and twenty thousand dollars per accident for property damage and this would...this would take the...or I'm sorry, ten thousand dollars for property damage, and this would take the totals from...from fifteen, thirty, ten to thirty, sixty and twenty. There was some concern expressed by some insurance companies that the raising the rates to this extent even though the...the coverage is...is still extremely low and insufficient to compensate many of those who were...who were injured in automobile accidents that it might raise the cost of insurance to the point where more people would be discouraged from buying insurance. Given that concern, I expressed a willingness to amend the bill and it was on the recall...list yesterday, but because of the number of bills on recall list, I didn't do it at that time and...express a willingness to do that in the House; however, I would simply point out from the survey of some...some agents, including my own agent who's an agent for State Farm, I ask him how much this would raise the cost of a policy with the minimum limits as they are now as opposed to raising them to this level, and he said...he quoted a figure of eight dollars, and I would simply suggest that that's a small price to pay for raising the limits to this even still

very limited extent, and it's important, I think, given the problem with uninsured motorists that we have in this state that we make sure that we have more coverage for those who...who are injured and because the same coverage would be provided on...on uninsured motorists coverage. Be happy to answer any questions and, otherwise, would ask for a favorable roll call.

PRESIDENT:

Discussion? Senator Demuzio.

SENATOR DEMUZIO:

If you...you haven't heard from your constituents back home, when this...when...when this thing passes, you're sure going to hear from them. Increases the minimum insurance thirty thousand and sixty thousand, bodily injury and...I'm sorry, thirty thousand dollars for bodily injury for injury or death to one person, and it's sixty thousand for bodily injury to two or more persons. I'll tell you, with all the business that's going on in insurance these days and we're going to up the minimum rates, I don't know what's going to cost the individual ratepayer, but this is one I think we're all going to hear about.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. It...please make a note that I'm standing in support of a Barkhausen bill. Well, maybe I'm making a mistake but...he's indicated that he would amend it in the House to twenty and forty. Now, let...let me just suggest to you, this is not an expensive bill, Senator Demuzio. The expense in any automobile policy is incurred when the first limits are written. So, when it's fifteen and thirty, which is the present minimum coverage, that's where the major cost is. If you buy a hundred and three hundred, it's only a fraction more, ten percent, twenty percent more

than the...than the fifteen and thirty original coverage. What Senator Barkhausen is suggesting is that this bill which raises it from fifteen and thirty to thirty and sixty would be amended down so it then becomes twenty thousand per...per person, forty thousand per occurrence. Let me suggest to you that this is a reasonable bill. It's been a number of years since we've increased the limits, I think Senator D'Arco handled that bill a number of years ago, and just the costs involved in medical care have increased dramatically more than the suggested increase in these premiums and the number that he's given you...I'm not an insurance man, but I can tell you that he's not far off when he says that probably the cost to the reasonably good driver in the reasonably modest circumstance is only a few bucks and he said eight dollars and I don't think he's far off. I would urge an Aye vote on this bill.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDENT:

Indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, if this bill passes, are you going...is it your intention to cut the increase in the House to twenty-forty, BI, bodily injury, and twenty thousand dollars property damage?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

...yes, it is, Senator Schuneman.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, to the bill then, Mr. President. I think that...that everything that everyone has said here...a part of what they've said is true. Senator Berman makes the point that there would be a modest increase and...in premium and I...I think that's probably true. I don't think it's so surprising that he's supporting it but I...because I assume if you sue someone, you'd rather that they would have high limits than low limits, but...I would have to say that...that if you vote for this bill, you ought to realize that it is going to increase, particularly...increase the cost, particularly in the area of uninsured motorist coverage because not everybody carries high limits of uninsured motorist. So, that's probably where the most increase will come and I'm inclined to vote against the bill. I certainly would have to declare a conflict of interest on this because to whatever extent you...whatever you do with this, as an insurance agent, it would tend to affect what little income I might get from that and...so I do have a conflict of interest. I intend to vote No.

PRESIDENT:

All right, further discussion? With leave of the Body, Senator Woodyard has got somebody taking pictures of him. I'm sure all of us who request can get a copy of anything that's taken. Senator...Senator Hall.

SENATOR HALL:

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

PRESIDENT:

Sponsor indicates he will yield, Senator Hall.

SENATOR HALL:

Senator Barkhausen, to phrase what...that Senator Geokaris always asks, if you fail to get this amendment on in the House, are you going to then Table the bill?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

I'm not sure I'd have that opportunity. I wouldn't...and, frankly, I wouldn't want to commit myself to that at this point.

PRESIDENT:

Senator Hall.

SENATOR HALL:

You're being evasive. You said that you...because of the rush of business over here you did not get the amendment on that you wanted to get on. Now, you going to give it to someone in the House. If he fails to put the amendment on, then you won't get another shot unless he gets the amendment on if it passes out over there, are you going to give it...and...and of course, I won't do like Senator Geo-Karis, she wants to know very emphatically do you promise that you're going to get this amendment on?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

It's only in my power to make that recommendation to the House and...and certainly I will do so.

PRESIDENT:

All right, further discussion? Any further discussion? Senator Barkhausen, you wish to close?

SENATOR BARKHAUSEN:

I...I think...Senator Berman made my closing remarks for me by pointing out that this involves a...an extremely small increase, if any, and it's a small price to pay for the additional coverage that needs to be provided. I ask for a favorable roll call.

PRESIDENT:

Question is, shall Senate Bill 1192 pass. Those in favor

will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 Ayes, 15 Nays, 4 voting Present. Senate Bill 1192 having received the required constitutional majority is declared passed. All right, with leave of the Body, we'll go right back on the Order of Senate Bills 3rd Reading, Senate Bill 1186. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1186.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of...members of the Senate. Senate...Senate Bill 1186 is one of the series of pension bills that we have. 1186 expands the State University Retirement Board from eleven to fifteen. There's no fiscal impact as such. We have already taken out the proposed tax for the Chicago Park District. It provides for a...an initial automatic increase to be given January 1st following the first anniversary date for retirees regardless of age. It provides for compounding automatic increases and it provides also for three percent increase for downstate teachers based on their current pension, and it also makes available that those persons from crime scene technicians be eligible for alternative retirement annuity and, one more provision which was added by Senator Demuzio, on Amendment No...no, it's Senator DeAngelis that is, it makes controlled substance inspectors employed by the Department of R and E eligible for...for alternative retirement annuity...have discussed these pension bills. Some do carry minor fiscal impact and I ask for a favorable vote.

PRESIDENT:

Discussion? Any discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, I guess I just have one question here...

PRESIDENT:

Sponsor indicates he'll yield, Senator Savickas.

SENATOR SAVICKAS:

...we're making a controlled substance inspector that's...employed by the Department of R and E who sits at a desk eligible for hazardous...hazardous retirement, alternate retirement because of his hazardous duty?

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yes, we are. This is a...I don't see Senator DeAngelis on the...on the Floor. This is an amendment that he wanted on the bill and which was adopted by the Body.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, I guess my question is, if we're going to open it up, we've got a program executive...a program executive, not even out in the field, and we're allowing them now to take early retirement or additional retirement because of hazardous duty?

PRESIDENT:

Senator Jones.

SENATOR JONES:

Where at the time the amendment was adopted, Senator Savickas, you had the opportunity to address that issue. This is not the final stage...of Senate Bill 1186. As I indicated, this was a recommendation from R and E and Senator DeAngelis asked could he put it on the bill, which I have no problem with; however, the bill will probably end up in

Conference Committee at which time we will discuss it further.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would point out a couple of things with respect to that part that deals with the State Teachers' Retirement System. One, there is a provision for basing the automatic increase on current pension. I cannot remember at the moment whether that made its way into the bill we passed last December for someone, but it's beginning to show up now for all the pension systems and it has an enormous cost to it; and, of course, once we put it into one pension system, we will put it into every pension system including all of those that relate to downstate and out-state in Chicago, and it has a very, very big impact; again, defensible in any kind of...of compassionate sense but not defensible if you don't pay for it. Secondly, I would point out the increase in the accrued liability for the state teachers' retirement part of this is estimated at three hundred and eighty-six million dollars...three hundred and eighty-six million dollars. The increase in normal cost is estimated to be eleven million eight hundred and seventy thousand dollars. That is the annual extra cost. The amount required in the first year to pay off the increase in the accrued liability at so-called level percent of payroll is eighteen million seven hundred and forty thousand dollars or a possible, if we were funding things, potential annual cost of thirty million dollars of which at least eleven million eight hundred and seventy thousand dollars is unavoidable. I think it is...and...and there's just no provision for paying for it. I just don't think it makes sense.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEHAN:

Thank you, Mr. President. Well, Senator Netsch was absolutely right. I...I...I'm impressed, Senator Jones, that when you say there's some kind of minimal impact here, a three hundred and eighty-six million dollar increase in the unfunded accrued liability is something more than a...than a minimal increase; and to the point made by Senator Savickas...not only does that particular group of people...not only are they included for early retirement because of hazardous duty, they now want to include court reporters for early retirement because of hazardous duty...I guess because of hazardous duty. Now, the other point I think that needs to be made,...I often use the term here of creeping pensionitis, and what I mean by that is that we do a little bit for one system and then the next year we got to do it for the other system and then the next year for the...for another system, and pretty soon, we've got really big money. Now, we did allow a...a increase in...a cost of living increase on pension plans a few years ago of three percent a year. Now, what we're seeking to do here in the first big major system is to compound that. Now, that may not sound like a lot, but what it amounts to as far as cost on a pension of say a thousand dollars, that at the end of twenty years under our present compounding, that pension would increase to around fifteen hundred dollars, but under this compounding, the pension is going to increase to seventeen hundred and fifty dollars per month. Now, somebody is going to have to pay that cost. We're not paying it today, so the question is, what are we going to do? Once more, pass this on to our kids? You know, we're beginning to act more and more like the Federal Government around here, passing social security laws and not paying for them is not much different from what we're doing here today. I think we'd better slow this process up.

PRESIDENT:

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

END OF REEL

REEL #2

SENATOR JONES:

Yeah, thank you, Mr. President. The previous speaker spoke to the court reporters far as hazardous duty and they...perhaps it is hazardous duty in the courtroom when some of the lawyers get in there and such, swinging their arms and everything. But, no, it's not hazardous duty for a court reporter, court reporters are included in there but not for hazardous duty as such. This is a bill that has incorporated many provisions of many sponsors on this Senate Floor. As it relates to the R & E employees, just came from your side of the aisle, Senator DeAngelis. I ask for a favorable vote on 1186.

PRESIDENT:

The question is, shall Senate Bill 1186 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, there are 30 Ayes, 13 Nays, 16 voting Present. Senate Bill 1186 having received the required constitutional majority is declared passed. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, this is a big one, Mr. President, so we would ask for a verification.

PRESIDENT:

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

SECRETARY:

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

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

PRESIDENT:

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

SENATOR SCHUNEMAN:

Senator Marovitz.

PRESIDENT:

Is Senator Marovitz on the Floor? Senator Marovitz on the Floor? Senator Marovitz on the Floor? Strike his name, Madam Secretary.

SENATOR SCHUNEMAN:

That...that's all, Mr. President.

PRESIDENT:

All right, the roll has been verified. On that question, there are 29 Ayes, 13 Nays, 16 voting Present. Senator Jones would request that further consideration be postponed. With leave of the Body, so ordered. 1194, Senator Smith. On the Order of Senate Bills 3rd Reading is Senate Bill 1194. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1194.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1194 simply creates a special nutrition supplement program for pregnant or lactating, that's students...those are students who are breast-feeding, and pro-

vide that school boards, welfare centers and other sponsors may voluntarily participate and receive...under the School Code. The purpose of this bill is to prevent infant mortality and to produce healthy children. Illinois ranks forty-third among the states on infant mortality and have higher incidences of infant mortality. It also creates a...the special Nutrition Supplement Program for pregnant and lactating students. It requires the student participants to submit a written statement from their physician certifying that they are pregnant or lactating. It requires the student's statement to be maintained as confidential records by the principal. The supplemental school program is modeled after...one similar in California. This program does not duplicate any current program, the Women's, Infant and...and Children's Program, what we call WICS, but administered by the Department of Health is federally funded, but the present administration has cut funding for this program. This program is needed to supplement the loss of Federal dollars and participation in this program is merely permissive and not mandatory. I ask your favorable consideration on this piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR FAWELL:

Senator Smith, when we were talking about this in the Education Committee, I agreed with you that there's no doubt that these young girls are lacking the proper nutrition according to the people that I talked to down at the Cook County Hospital, but I also thought that what we were talking

about was that we were going to use some of the WIC Program, which, frankly, even you have told me, the girls are inclined to take and sell rather than eat, and I thought the idea was we were going to try and coordinate those programs so that we would make sure that...that those foods that we get from the Federal Government such as the milk and the cheese and what have you that we're talking about would be given to them in the lunch room and...and make sure they eat them instead of going out and selling them. I thought that's what we were talking about.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

...on the Floor here we amended this bill so that it would not be...start in full operation until '89. It would be very difficult for a pregnant lady, a girl, a student to go out and just get some cheese, that we want them to go to school and get an education. The school has a regular diet for these young women, such as five ounces of protein may provided at their...breakfast by adding an ounce of protein and serving from the grains group, for lunch by serving the above as snacks and by adding one or two ounces of protein, by offering them morning supplements consisting of two or three ounces of protein. If only breakfast is served, nutrition supplements must total one ounce of proteins and two servings from a grain group. If both breakfast and lunch are served, requires nutrition supplements to total five ounces of protein food, one ounce which must be cheese, three servings from grain groups, a fourth-cup from the fruit and vegetable group and one pint of...what I'm trying to say to you, Senator Fawell, that these are...are designed to give them a balanced diets. We can all go to a line and get a lot of cheese, we can get a lot of butter and then we will not have a...a balanced diet. But we must remember that these

girls are not only taking care of themselves but they're carrying a baby inside of them and we want these children to come here healthy, not to be a responsibility on the state for the rest of their lives. So if we can do this while they're carrying these children and see that they are physically taken care of, this is going to save our state money. There's a lot of cheap ways out, you know, and tell them to go to a...stand in a line and...but, we want these children to go to school so that they can get their education and become taxpayers to help our state, not to be a ward on the state for the rest of their lives.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Senator, I agree with what you are saying, these girls need the protein. Cheese is protein. According to the Cook County Hospital, that's what is lacking in these girls' diet is protein which...and protein is the main substance that develops the muscles and the brain of an unborn infant. I thought what you were talking about was instead of handing these girls these cheeses and...and other nutritional type of food stuffs that we get from the Federal Government by the carloads, that we could use them in the school program; because you, yourself, told me when these girls get these things, they are very inclined to go out on the street and sell them instead of eating them. If they ate them, we wouldn't have the problem.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Watson.

SENATOR WATSON:

Yes, thank you...thank you, Mr. President. I'd just like to make a couple of comments. I voted against this in committee and I'm going to continue to do so. I think it's a...a bad idea and something that really we don't need to be

doing at this particular time, and I noticed in our analysis here that Senate Bill 1195 is a three hundred thousand dollar appropriation which is what our fiscal impact is supposed to entail is three hundred thousand, it...that that bill is held in the Appropriations' Committee and we do...we...we pass all this substantive language around here...and this happened to me on several different times where I'll pass a bill and then...then the Governor or for some other reason or...we hold it in committee, the appropriation bill is killed and...so the public is a little bit deceived on really what happens, because we pass the substantive language and then we don't fund it, and I just think that this...this could be one of those examples and I would urge...a No votes. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Severns.

SENATOR SEVERNS:

...thank you, Mr. President and members of this Chamber. I rise in strong support of Senate Bill 1194. The infant mortality rate in this state and this country is far too high and far too unacceptable. I think this legislation attempts to recognize the problems with infant mortality and attempts to begin dealing with those problems. I think it's a bill that while it may not be perfect it's a step forward and I urge support of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I'd like to remind the Body, we've got a hundred and sixty bills on this Calendar, we'll be here Sunday night or Monday morning if we keep this pace going.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Smith...Senator Collins.

SENATOR COLLINS:

Yes,...let me try and clear up something. Senator Fawell said that she supported the...this basic concept in the bill but, Senator, this bill does not give out foods to the girls to take out. It...it does exactly what you said, they eat the food in the cafeteria at the school. So what...what...I don't understand what your problem. You...you said you supported it but you wanted them to eat the food, that's what she's trying to do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Smith may close.

SENATOR SMITH:

Thank you, Mr. Chairman and Ladies of the....number one, Senator Fawell, I...we have no hangups. You want to see the young girls to get food, cheeses and et cetera, we want to see them, but we want them to see it while they're going to school. We don't want them outside of the school, we want them to complete their education and they can get these nutritional meals while they are going to school and the baby is developing in them while they are going to school, that when the baby does arrive, he will be a healthy baby. That's what we're trying to do. We're not trying to...ignore the fact about the cheese...the cheese is necessary, the same thing that you want to see the child have. They don't have to leave school to go out and get it while they can come to school every day, they can get a nutritional meal that's going to be balanced for them so that they can bring some healthy babies into this world. Now to answer Senator Watson. In your committee, this bill came out 13 to 2 out of your committee. We are not trying to do anything but to help our state. If we can bring healthy babies into this world, this is going to take the responsibility for the rest of their lives off of the state. It seems as though you want the state to...continue to take care of these people. We're

trying to make these people self-sufficient so that they can get their education, get jobs and be taxpaying citizens, not just to be a burden on the state; and all we ask you to do is to go along with us and say that while they're going to school...encourage them to stay in school, but while they're in there, they're going to get some decent food to eat so that they can bring some healthy babies into the world. That's all we're asking.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1194 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 25, none voting Present. Senate Bill 1194 having received the constitutional majority is declared passed. Senate Bill 1197, Senator Smith. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1197.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1197 simply amends the School Code regarding Young Parents Program. It authorizes the State Board of Education to award grants to school districts for Young Parents Education Program which will be effective in 1988. Eighty percent of teen mothers and over fifty percent of teen fathers do not finish high school. The large drop-out rate results in welfare dependency, unemployment and other social problems. This bill will simply save the taxpayers money by permitting students to remain in school and

graduate onto the employment rolls rather than the welfare rolls. This is not a mandated program, rather it is permissive. This bill does not affect the Fiscal '88 year, but it only goes to the '89 school year. We had similar legislation like this in 1984 which...which passed. The State Board of Education has no position on this bill, nor did they take any position on this last year. I simply ask your support in making this bill into law.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is...is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

Senator, I...I can't help but be sympathetic for the...the type of problems you've been...trying to address in the last couple of bills, but I can't help also be thinking what's with...I understand that this is a problem which tends to be regionalized. Why doesn't your school district do these things? Why does this have to come to Springfield? They have a huge budget, the number of dollars you tell us that are involved are relatively modest. I know that, you know, they got to fund the teachers' agreement and all those other good things, but why is it always down here with these programs? Doesn't your school district have any concern for these problems, what are they doing? I...I'd like to think...my locally elected...maybe that's the difference, you have that appointed board, maybe they're insulated, but my locally elected board has on numerous occasions responded to when they have perceived problems in the student body, drinking, drugs, they've taken some of the money that they raise locally or that's allocated and come up with programs independently of us. Is there no social conscious on your school board to respond to these problems that you are forced to come down here again and again and again? I mean,...believe me, I think in most of...parts of the state if this type of problem existed, the locals would at least try to do some-

thing before they came down here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith. Was...

SENATOR SMITH:

Thank you, Mr...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...was that a question or just a statement? A statement. Is there further discussion? If not, Senator Smith may close.

SENATOR SMITH:

I merely want to say to Senator Schaffer, if he is using his eyes, then you'll notice that this is not just city, county, state but it's worldwide. This is happening all over and we are merely trying to administer to a need for the State of Illinois. Yes, there are small societies where the people are very fluent and they can come in with their personal monies and do things, but let me tell you, some of those who are supposed to be of a middle class and upper class are reaping the same things that those who we say are on the lower level, because they are busy people and they do not have too much time for their children. But children are hungry for attention today and this is what we want to give, we want to show them that the State of Illinois is in sympathy with their needs. A lot of young people are caught between the...the eight ball...behind the eight ball. This is all I'm asking to do to provide a possibility that these young people might be able to finish high school and be taxpaying citizens. I ask your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1197 pass. 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 35, the Nays are 22, none voting Present. Senate Bill 1197 having received the

constitutional majority is declared passed. Senate Bill 1202, Senator Maitland. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, Mr. President. I intend to make a...a motion on this bill in...in just a moment, but I...I want to...to make the Body aware of the fact that Senate Bill 1202 was...was introduced for...for quite legitimate reasons. As...as the strongest supporter of the home school movement in this Body, I think, it was meant to help; obviously, it was taken a different way. Once again, I apologize to all of you for all those phone calls you've gotten and I apologize specifically for the phone calls you've gotten that have not been very nice because I've certainly gotten those too. I really see no support for this legislation at this point and, therefore, Mr. President, would move that we recommit Senate Bill 1202 to the Committee on Elementary and Secondary Education.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objection, leave is granted. The bill will be recommitted to the Committee on Elementary Education. Senate Bill 1204, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1204.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill...1204 is a vehicle. I really don't know where it came from to be honest with you. I don't really know what is supposed to ride in it, but I suppose we might as

well take a roll call on it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1204 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 2, 4 voting Present. Senate Bill 1204 having received the constitutional majority is declared passed. Senate Bill 1208, Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1208.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1208 simply adds to the Election Code the definition of the two leading political parties in Illinois, and it defines by definition that the two leading political parties are those that have the most individuals who are elected to both the House and the Senate. It is obviously something that we need in order to assure that we have a...a proper allocation of...of election officials at the next election, and I know of no opposition on this side.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Dudycz.

SENATOR DUDYCZ:

Yes, thank you, Mr. President and Ladies and Gentlemen. Just to explain the Present vote that was cast by the Republican members in the Election Committee. 1208 is our Democratic colleagues' attempt to place the final nail into the

Solidarity...coffin, and as we view this bill, it's just another innerparty conflict among the Democrats. We urge your Present vote again.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Further discussion? Senator Schaffer. Further discussion? Senator Demuzio to close. All right. The question is, shall Senate Bill 1208 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary, please. On that question, the Ayes are...are 41, 3 voting Nay and 13 voting Present and Senate Bill...1208 having received the required constitutional majority is declared passed. On the Order of 3rd Reading is Senate Bill 1210, Senator Savickas. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1210.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, the purpose of Senate Bill 1210 is to provide a uniform set of service priority goals for state human service agencies, describe how state human service agencies shall expend their current and future resources in communities, reprioritize current and future state spending on human services and encourage effective cooperation and communication between state human service agencies and the community service providers that are out in our communities. I would ask your support for this purpose. We are at this point trying to redirect the funds that are now appropriated for the purpose of using them in the communities for the purpose of having a say as a Legis-

lature on the programs that we...we implement, how they should be funded. I guess the question and the problem has arisen with each new director. The director...because the money is...just a line item money to be expended, really can set their own priorities. I think this is...a situation where we, as the Legislature, who must answer to our communities and to the people that we are serving and to our constituents in these...in these service areas, that we do have a voice, we do want to take a hand in it and we do want to direct...have that control of direction. I would ask your support.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, first of all, I'd like to commend Senator Savickas for going after what I think is a very serious problem and, you know, I think he's moving in the right direction, but this may not be the way he would like to move. When we were in committee, and he had expert witnesses there, he suggested that this would not increase the cost to the state because available funds currently in the budget in these departments would be used to achieve these goals of trying to get more local outlay of services which, again, is a very commendable idea and I know the Republican members on our Health Committee are flirting with this concept very strongly because it is a good concept. However, when we finally get our fiscal statements, we come up with a worst case scenario which would be the availability of all mental health programs and DMHDD programs available to everybody at thirteen billion. That's with a b, not an m, that's the worst case and I agree it's the worst case but even if only half those people came up and...and, you know, demanded some kind of a service, we're talking 7.5 billion...or 6.5 billion. No matter how you cut

this, this is an extremely expensive bill. According to the fiscal impact that we had originally, if unamended, this...this would also...this would be incrementalized over five years, but even over five years, we're talking about a significant increase. So I would commend to Senator Savickas, if he would be so kind...and certainly with our support and with the support of those people who are involved in this, if he could recommend this into committee where we could do a study and see if we could come up with something to achieve his goals without going this route, because...especially in this year, it's going to kill us.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Savickas, you wish to close?

SENATOR SAVICKAS:

Yes, Mr. President, obviously, once again...

PRESIDING OFFICER: (SENATOR LUFT)

Would you excuse...excuse me, Senator. Senator Smith, Senator Savickas is closing. Did you wish to comment on this bill?

SENATOR SMITH:

I merely wanted to let you know then since...I won't say anything, but I merely want to let you know that I thoroughly support this. These community service need to be now, now waiting sometime when it's too late. These people are in need now and he has the bill and I'm asking merely for your support.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Savickas to close.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, you're right. We're...looking at a fiscal note that describes not only a worse scenario but, I think, a make-believe type of fiscal note. It has no basis of fact. It's dreamed up probably to make this a worst case because of territorial

rights. Obviously, the...the director and the department is not favorable in moving towards...community service based responsibility. They're talking here of thirteen billion dollars presuming an annual cost per person of twenty thousand dollars. Well, my God, the department now at the worst scenario will spend only five thousand. So for the purpose of this fiscal note, they've quadrupled it to say, oh, this will bankrupt the state. We're not asking for that increase, we are asking at this point to redirect those funds that are presently being allocated, to redirect them from that line item to a specific set of rules so that those community service agencies can have stability...stability in their planning and stability in their operation of delivering these service. That's all, at this point, what this bill does. Yes, we are seeking for increased funding in the future years. Yes, we are hoping that we can provide greater services through these community agencies, but you and I know that we are here every year and every year we will be looking at...at this program. We will be reviewing next year how our change this year has affected those services to our communities and to these agencies. So let's not scare the people in saying this is going to be a thirteen billion dollar impact, it is not. We're using the monies that are allocated today, we're redistributing them, we're saying this is the way they should apply. This is what the Legislature wants in our communities and I would ask a favorable vote for this bill.

PRESIDING OFFICER: (SENATOR LUFT)

The question is, shall Senate Bill 1210 pass. Those in favor shall 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, Mr. Secretary. On that question, the Ayes are 37, 14 voting Nay, 4 voting Present. Senate Bill 1210 having received the required con-

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3rd Reading

stitutional majority is declared passed. On the Order of 3rd Reading is Senate Bill 1215, Senator Poshard. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1215.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill simply makes the State Labor Act for public employees consistent with the Educational Labor Act in the area of what is an...an unfair labor practice. Both Acts provide that negotiated collective bargaining agreements shall contain a grievance procedure with binding arbitration as the final step. In the Educational Labor Act, it's an unfair labor practice if the employer refuses to implement the arbitrator's award; in the Public Act, it is not. This bill simply makes it an unfair labor practice for public employers under the State Labor Act to refuse to implement an award. The bill does not affect whether or not an employer can sue in court to set aside an arbitrator's award it considers unfair only where the process begins. Presently, an employer is required to start such litigation at the circuit court level. Under this bill, if the Labor Board finds the employer is guilty of not implementing an award, the employer can appeal that decision directly at the Appellate Court level. This makes sense because it's both speedier and because this is the level where the body of case laws is being established anyway. When we passed the Bargaining Acts back in 1983, we felt the employee should have a fair grievance procedure in their collective bargaining agreements that ended with an arbitrator's award. If an employee loses that

award the case is over, but if the employer loses, he may simply refuse to implement the award and under the present law it is not an unfair labor practice to do so in cases under the State Labor Act. This bill clarifies the original intent of the State Labor Act and makes this section exactly the same as the Educational Labor Act. Ask for your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, this bill came before our Senate Labor and Commerce Committee and I think the point that needs to be made here is that the chief opponent that day was Central Management Services who felt that they had to oppose this measure and their claim is that in certain rare instances decisions of the arbitrators should be appealable...should be reviewable. And that is their position and this bill would preclude their ability to appeal what they consider to be unwarranted decisions by the arbitrators and that can happen, there can be such. They also point out that on rare instances where they have appealed decisions, the courts have ruled in...their favor. Now they view this bill as making...making this appeal which is provided for currently by law...making such an appeal, an unfair labor practice, they view, and I think with some correctness, a step taking away a legal privilege that they now have to be used in rare instances. So I...I just think that the Body should be aware of the objection, where it came from and why it was made.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator...Poshard, you wish to close, please?

SENATOR POSHARD:

Yes, thank you, Mr. President. I just ask for a favor-

able decision on this bill. I think it brings equity to both of the Labor Acts and is very fair and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LUFT)

All right. The question is, shall Senate Bill 1215 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Mr. Secretary. On that question, the Ayes are 37, 20 voting No, 1 voting Present and Senate Bill 1215 having received the required constitutional majority is declared passed. On the Order of 3rd Reading, Senate Bill 1217, Senator Jones. Read the bill, please, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1217.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jones.

SENATOR JONES:

Thank you, Mr...thank you, Mr. President, members of the Senate. I'd like leave to add Senator Schuneman and Senator Smith as joint sponsors of...of Senate Bill 1217.

PRESIDING OFFICER: (SENATOR LUFT)

You've heard the Senator's request. Is leave granted? Leave is granted.

SENATOR JONES:

Ladies and Gentlemen of the Senate, Senate Bill...1217 rewrites...with modifications and additions the Nurse Practice Act which sunsets in December of this year. It provides for a licensure of professional nurses, practical nurses by the Department of Registration and Education. It creates the Nurse Licensing Disciplinary Committee, it establishes new fees and authorize R & E to assess fines up to five thousand

dollars. This Act was repealed 12-31...no the Act...we're...we're automatically sunseting...December of this year and this is a...the ten-year extension of the...the Nurse Practice Act. I know, ladies and gentlemen, you have...and I'm going to yield to Senator Schuneman because the amendment incorporates most of the provisions of Senate Bill 1323 which he's the chief sponsor. I know many of you have received in your offices telephone calls as it relates to this bill. As chairman of the committee, we held hearings on practically all of the sunset legislation. Senator Schuneman, at my request, agreed to hold his bill in committee simply because INA, the Illinois Nurses Association, indicated that they had some problems with the legislation. We held the bill, we held a hearing last week in Chicago at which time they came forth to gave their reasons why they are...in objection to this bill. As chairman of the committee, my staff and R & E, we waited and waited and waited for suggestions as it relate to change in the Nurse Practice Act. This did not come forth. So as a result, 1217 is the only bill that is alive as it relates to the Nurse Practice Act. One thing that concerns me and it's been a contention of many members is the entry into practice. Currently, the diploma schools, our community colleges across this state and those who've gone on to a four-year institution and receive a baccalaureate all take the same exam and let me give you a...a statistic as it relates to the pass rate. In 1986, over two thousand graduates of community college...nursing programs took the exam. Approximately, one thousand who received baccalaureate degrees took the exam and approximately seven hundred from the...the diploma school took the exam. All three take the same exam to be an...a RN nurse and the pass ratio is approximately ninety percent for each group. This is the big contention as it relates to this bill whether or not we're going to cut off the thousands of...of persons who go

to community college to receive their diploma to become an RN nurse, or are we going to require those individuals to go to a four-year institution in which many of them do not have assets to a four-year institution in order to become an RN nurse? That is the issue. We have passed out to you an answer to the statements made by INA as it relates to the opposition to Senate Bill 1217. The doctors of the Medical Practice Act, the psychologists, the podiatrists, the social workers, everyone came in and sat down discussed their Act as to what they would like to have done. It did not happen as it relates to the Illinois Nurses Association. There are approximately eighty thousand nurse currently working under the licensure of the State of Illinois, approximately eighty thousand. INA represents maybe about eleven percent of those. There are a large group of persons out there that support this bill and I'll read them off. The American Society on Respiratory Care Administrators, American Vocational Association, Associated Degree Nursing Council, the Black Nurses Association of Chicago's Chapter, Cook County Community College Teachers' Union, the Illinois Community College Board, the Illinois Community College Faculty Association, the Illinois Community College Trustee Association, the Illinois Council on Community College and Administrators, the Illinois Council of Hospital Based Program of Professional Nursing, the Illinois Council of Hospital Schools of Professional Nursing, the Illinois Council of Practical Nurses Coordinators, the Illinois Council of Public and Community College Presidents, the Illinois Council of Vocational Education...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Jones, will you bring your remarks to a close, please?

SENATOR JONES:

I can go on and on and on but I'll yield my time to Sena-

tor Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You don't...Senator Jones, you don't have any time to yield...further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thanks a lot, Senator Jones. Well, Mr. President and members of the Senate, I don't want to prolong this debate a lot. I think we are all caught in a situation in which we don't like to be caught and that is that we have members of a profession who can't agree about the renewal of their License Practice Act. Senator Jones, I think, has done everything he can do to try to get these groups together. We had a meeting in Chicago last Friday when the rest of the Senate members were not here and...in an effort to try to bring about a resolution. I was just told by the Department of Registration and Education that this particular draft or the...the first version of this draft was given to the INA on March 9th, and at no point has the INA come to them to try to work out the problem. I think that...that how we got into this posture is that the INA draft of the License Renewal Act would have changed the multilevel of entry into the nursing profession and that's where the big problem is. I think both Senator Jones and I are committed to the idea that...that some of our very good nurses in Illinois have come through the community college system and that even though they may not have a baccalaureate degree, some of those people are among our very best nurses. Certainly, those nurses have scored as well and in some cases better on the exam than the baccalaureate degree nurses. So what we would like to see you do is pass this bill out of here, the negotiations will continue and ultimately these parties are going to have to come together. But...if there are any questions, I'm sure we'd be happy to try to respond.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? We have several speakers. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I certainly am anxious to find out...very, very concerned, as all of you know, I've been very supportive of nurses and I was with Senator Rupp...former Senator Rupp and I were...led the fight when they were trying to bring Canadian nurses in here and you let them come aboard without even having to take an examination. I'm looking here...I was given from the Illinois Nurses Association and they say...and I'm for the...be brief, I'll just read these and then you can ask. It says that you increase all license and applications fee by one hundred percent including two new money items. The first fee is a hundred dollars, if you're coming from out-of-state, the second item...would be and you assess a fine up to five thousand dollars if your license is revoked, you strip the powers of the Committee of Nurses Examiners and you replace this with a Council of Graduates of Foreign Nurse Schools, screen a foreign nurse with optional English examinations. Now I want you to know that I'm very, very supportive of...of licensed practical nurses. I don't want to see any damage done to the community colleges. I'm strong for this and I want to know is this bill that you're supporting, Senator Jones, is that...is there any danger of stopping that program that goes on for underprivileged and for other people who cannot get an opportunity to take this nursing program?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Jones.

SENATOR JONES:

In response, Senator Hall, to your first question. All Licensure Acts, even the...the Medical Practice Act, their license fee was increased over three hundred percent. This

is a modest increase of just one hundred percent for the nurses, but all of them went up, just keep up with the cost of living...and administering the Act as such. But as far as the...the licensed practical nurse, they are protected, as far as the foreign nurses are concerned, the only thing that this does...this does not replace the Council of Graduate of Foreign Nursing. What it does is, in some event, the nurse from one of the iron countries who has the education but cannot get the records from those university here, that person would have to know...be given the opportunity. You only talking about maybe ten or fifteen people in a period of five years. So they are not being admitted as such and I would not be for that and I'm with you on that particular point, but this protects the nurses that you are concerned about. In your district from that community college, this legislation protects them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? We have the following speakers, Senator Raica, Karpel, Geo-Karis, DeAngelis and Rock. Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I've had the pleasure of working with Senator Jones on a number of committees and I think that he's very vocal and as equal, he's very fair. I think the letter that the sponsors of this piece of legislation sent out addressing the questions that INA had was very good and...and very helpful and will Senator Jones yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones indicates he will yield. Senator Raica.

SENATOR RAICA:

Senator Jones, you mentioned that the INA had...as of March 9th, they...Department of Registration contacted INA and...and till this date INA has not replied or given any

input into this piece of legislation or sat down to, at the minimum, negotiate this piece of legislation. I have a question regarding the community colleges, the two-year program and...and the diploma nurses. Have they offered you input and have they been...in other words, have they exercised all that they can to come forward and give you their side of the story more so than INA has?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

In response to the question, they have come forward but those persons who are in opposition to the legislation had equal opportunity to meet with staff to discuss the bill. When the bill was called on the last hearing date of the Senate Insurance and Licensed Committee, that was the only time that I discussed that INA came forward, and at which time, out of courtesy, I held...Senator Schuneman's bill in committee; but prior to that point, the bill was introduced in Senate Committee for a month and no one from INA came in to discuss the bill with my staff or me, and I don't know if they talked to Senator Schuneman regarding the legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Karpiel. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, briefly, this is a very good bill and it's helped put a lot of good conscientious people who have the heart of nursing in their...in their bodies and giving them jobs and paid them very serviceable. I certainly urge the favorable recommendation of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis. Senator DeAngelis on the Floor? Further discussion? If...if not,

then Senator...Senator Schuneman.

SENATOR SCHUNEMAN:

I think there's one more thing that ought to be said. Basically, this is a reenactment of our current Nursing Practice Act...there's no big departures in this bill from what we're doing now and the members ought to know that. Thank you.

PRESIDING OFFICER: (SENATOR DEGUZIO)

All right. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

I'm sorry, Mr. President, I had to leave the Floor. The only thing that concerns me about what we're doing here and I would hope that...and I will have a question asking you if there is an alternative solution...is that when you proceed with a bill of a certain type and you indicate that negotiations are going to carry on, they're not really going to carry on because you already passed something that somebody is opposed to. The only way that you could successfully carry on negotiations is to take the bill with nothing in it and leave it open, because if you do pass this bill as is, there would be an indication that one side won and the other side lost and the side that lost...Senator Jones, please...so I am concerned that negotiations will not go on because there's no need to have it go on because there's a bill that passed that a certain group supports and the other group that doesn't, so why should the group that doesn't support it do any negotiating? Now, there's basically...and the first meeting, I might point out, regarding this I think that the two groups had occurred in my office about six weeks ago and basically...in my estimation, you can sit here and put out all this stuff, there's basically one big disagreement and that is the disagreement as to whether there should be a form of recognition for those groups of nurses who seek a baccalaureate degree versus those who go through a two-year pro-

gram or a three-year program and, frankly, I have some great difficulty not wanting to reward people going on to school; by the same token, I have great difficulty disqualifying people who are accredited from doing something, and I was hoping all along that the two groups might agree that both...both are accredited, both are certified, both are capable of doing the job, but for that group that chooses to go forward, there is a further recognition. And, Senator Jones, I don't think your bill is going to inspire that kind of discussion and that kind of agreement, and I don't know what to do about it, maybe you've got a solution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you. In response to your question and statement...it's very strange to me, Senator DeAngelis, that the groups that want...doesn't want this bill met in your office. I would have thought they would have met with Senator Schuneman who sponsored the bill or met with Senator Jones who's the chairman of the committee as it relates to this bill, but as far as negotiations and things that are going...I heard about some negotiations in the House, from INA, I happened to be over in the House last week with Speaker Madigan, but this is the Senate. If the Senate is going to be a respected member of the General Assembly, then we've got to act on this bill, today is the deadline. If they met in your office six weeks ago and the bill was introduced in this committee by your colleague, Senator Schuneman, I would have thought that they would have sat down and talked to Senator Schuneman about this bill as far as...as a baccalaureate...versus a two-year program. Those who go on to college to receive a baccalaureate degree from the onset, do you realize that...that only two years of that four years is spent in nursing? And if they were so much greater, don't

you think their pass rate would be better than that of a two-year program? I have received no complaints, no studies about the quality of health care in the State of Illinois or in the country as it relates to our nurses, they do a very good job. I've worked with INA, we have discussed this here problem recently, but the key issue is to whether or not we are going to cut off opportunities for youngsters across this state, in our community colleges, in our diploma schools and not let them be RNs. They've been R and Ns...RNs for many years, the program has worked and worked well and when you talk about negotiations, I would think that the negotiations on this legislation would have been here in the Senate where the bill is, but there have been...haven't been any here and that's not my fault.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Senator DeAngelis, you...your time has expired on numerous occasions. Senator DeAngelis.

SENATOR DeANGELIS:

I do have to respond to that. First of all, Senator Jones, it's an outlandish statement on your part to indicate that if a Senator has five facilities within a twenty-mile area of his district that are involved in this that he ought to call Senator Schuneman to discuss it, that's absolutely outlandish. But I'll tell you, I think you've proved my point, because you already have formed the conclusion about this bill and what I said before is there won't be any negotiations 'cause the jury is in. I, therefore, am going to vote No.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Further discussion? Senator Rock.

SENATOR ROCK:

Yeah, thank you, Mr. President and Ladies and Gentlemen of the Senate. I was not going to prolong the discussion but, frankly, I tend to agree with Senator DeAngelis. I am

one who has publicly been on record as one who is married to a nurse and has a daughter in Vanderbilt School of Nursing, that the baccalaureate requirement is in the best interest of the people that we all ultimately serve, those who are sick, and I don't think it's fair to...suggest that by virtue of taking that position, we are denying anyone an opportunity to do anything they want. It simply doesn't follow. It...the...the premise does not support the conclusion and I think that if we're indeed going to negotiate in good faith, the sunset date is not until December of this year, I don't think it's fair to rush to judgment. We ought to get these groups together and, Senator Jones, you ought to convene a meeting and pick out the biggest room you want and we'll make sure they're all there to talk to you and Senator Schuneman. But the fact of the matter is, they have been talking about this for a period in excess of two years that I'm aware of and most of the nursing schools, Vanderbilt included, is now going to a five-year program just because of the fact that with the emerging technology and the...the advances in medicine, the more education these young people have, the better off we, who they serve, are going to be. So I intend to vote No and I would wish that you'd hold this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Well, I hate taking the time of the Senate discussing bills forever 'cause I know we'll have to probably be here for a week to get through the Calendar, but I think this is an important enough issue for me and for all of us to get this absolutely clear. First of all, I was not going to support the nurses' bill as the Nurses Association had proposed but this is not that bill and I want to know a couple of things. First of all, I would like to ask Senator Schuneman basically two questions. The first one is,

I have been told by the Nurses Association that in this bill it would allow foreign nurses to practice in our state with no test or nothing else taken except for a English competency test. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Anybody to be licensed must write the national exam. Now I'm not sure exactly what they were referring to. There are some nurses that are employed by the Federal Government who are not...and because they are employed by the Federal Government, the Federal law supersedes Illinois law and so what the Federal Government requires is that they be licensed in some states. So they might be licensed in another state and work for the Federal Government in Illinois. I'm not sure that that was the exact problem that they advanced to you, but every nurse must pass the national exam in order to work here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

No, that was another issue they brought up about the Federal...nurses that work for the United State Government. This was specifically bringing in nurses from another country who evidently were licensed, I suppose, in their country but when they came here, they did not...according to them, they would not have to take a test on Illinois...you know, an Illinois licensure test.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I am reliably told that that's simply not true.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

The other question then that I have is...is this bill entirely the same as the present Nurse Practice Act or if there are any differences, what are they?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

No, it is not entirely the same. Senator Jones has...has recited, I think, most of the changes that are in there. There are some increases in license fees, but we increase license fees in every license Act that we renew, that isn't anything peculiar to this bill. There are some changes in...you know, I can read from our...from our analysis of...of the various things that are done. It strengthens and clarifies the grounds for discipline and I'm told that there is a need to do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpriel.

SENATOR KARPIEL:

All right. Thank you and I don't want you to read them, I have this in front of me. So these are the changes but the rest is about the same as the present Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Schuneman.

SENATOR SCHUNEMAN:

Once again, I think we should emphasize that it maintains the same multilevel entry to the nursing profession. Now I think there are a couple of other things that ought to be said. It's been suggested that we should convene a meeting, what do you think we've been doing? We've been having meetings and convening meetings with these groups and everybody is on board now with the exception of INA, and I...and, you know, it's been my impression that they're never going to come on board unless we do it exactly the way they want it

done. And I don't think the rest of the nurse...I don't think that's fair to the majority of nurses in Illinois. Now the INA does not represent the majority of nurses. I can tell you one other thing...I'd like to recite one other thing. I did a survey of this issue in my district, sent out a letter to every registered nurse in my district and asked them whether they opposed or supported the INA proposal and I...while I don't have that with me today, I can tell you that I got back about seven hundred responses and it was 2 to 1 against the INA proposal. Those other nurses feel that the INA is trying to squeeze them out of the profession and somehow make them second-class nurses, and I wish you could read some of the letters I get back, some of them from...from baccalaureate RNs who say, in effect, that the hands-on care in this state is being provided by nurses...basically not the baccalaureate nurses, that the baccalaureate nurses to a great extent may become supervisors, they may be the higher echelon in nursing, but if you want to protect hands-on nursing, and that's where I am, then I think you ought to support this bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Jones, was Senator Schuneman closing? Senator Jones.

SENATOR JONES:

Well, I feel there's a need...in my closing remarks as Senator Schuneman to close. In response to Senator Rock,...Vanderbilt Nursing School or some of these...many other private colleges that provide nursing are...are not available to the average citizen. If they'd been discussing this issue for two years as it relates to entry into practice and they can't come together, what makes you think they're going to come together within the next month? The question is whether or not the citizens in this state would have access to the RN program that's regulated by the Department

of R & E. As I indicated, I waited, I waited and I waited and the input was not there. I convened the meeting...a meeting at the inconvenience of many of the Senators last Friday to address this issue and that is the only time they decided to come forth. The majority of the nurses in this state, the...the majority of the RN nurses in this state support this bill. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 1217 pass. 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 38, the Nays are 14, 7 voting Present. Senate Bill 1217 having received the required constitutional majority is declared passed. 1231. On the Order of Senate Bills 3rd Reading is Senate Bill 1-2-3-1, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1231.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. At our present rate of production, we're averaging ten bills an hour, so the expected adjournment would probably be 4:30 a.m. This bill does just as the Calendar suggests and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1231 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open...have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1231 having received the required constitutional majority is declared passed. Top of page 11, Senate bills 3rd reading, Senate Bill 1236. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1236.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. Last night we passed a similar bill, a companion bill, that...deals with the drug and alcohol testing of those involved in the generation the like of...of radioactive waste. This bill is virtually the same but deals with those...designated employees involved in the transportation of hazardous waste, and I would like to suggest that one of the issues that was brought up last night dealing with confidentiality was very well-taken, and that bill in the House will be certainly amended to further...constrict that and the same would apply to this bill, and I'd be happy to entertain any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Netsch.

SENATOR NETSCH:

Thank...Senator Mahar, I think I was the one who raised that question and you had earlier mentioned this. I...I am glad that it's acknowledged because I think it was a wide-open nonconfidentiality provision and I...I am taking your word that you will see that it's also cleaned up over there. I would ask one other thing that...that you relook at the definition of who is covered, because it seems to me that it may be broader than you want and I don't...I'm not

asking you necessarily to resolve it right at the moment, but you cover any contract person and it is a very, very broad net that you are extending and I think it might be well if you would have someone look at that again very carefully too. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 1236 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, 1 voting Present. Senate Bill 1-2-3-6 having received the required constitutional majority is declared passed. 1243. On the Order of Senate Bills 3rd Reading is Senate Bill 1-2-4-3, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1243.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I might point out in the beginning that this...the synopsis of this is very misleading that this bill does not contain a tax increase without voter approval, municipalities already have that authority in current law. The current law allows municipalities to issue bonds and to exceed the 8.265 indebtedness limitation to finance the cost of the acquisition, construction and improvement of a water...or waste water facilities mandated by the U.S. EPA or the PCB compliance order. However, the Clean Water Act comply...compliance orders are also issued to communities by the IEPA and those communities cannot issue the bonds or exceed such...indebtedness limitations under

current law. Senate Bill 1423 allows those communities to do so. As you know, there are two hundred and thirty-six Illinois communities that must achieve compliance with the Federal Clean Water Act by 7-1-88 or face possible fines and so forth. So I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Just a question. Did you say that there's no...there is a requirement for referendum in that bill or not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, that...there is...there is not and in...in current law there is not if you are mandated by the U.S. EPA or by the PCB, the Pollution Control Board, to do that; and what this says, it lets the Illinois EPA, if you're mandated by them to do it, you can do the same as if you're...mandated by the U.S. EPA or the Pollution Control Board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 1243 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 21, 1 voting Present. Senate Bill 1-2-4-3 having received the required constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Ladies and Gentlemen, I am pleased to again present a man who...who...is known to...well known to everyone here, our senior United States Senator, who assures me that this week he has balanced the budget, Senator Alan Dixon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

S. B. 1244.  
3rd Reading

Senator Dixon.

SENATOR ALAN DIXON:

(Remarks given by Senator Dixon)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

I just want to tell you that when I came here twenty-one years ago, Senator Dixon...and I was in the House and he came over to me and he said, Kenny, don't you worry, when I move, you can take my place. So it just so happened, but he forgot when he moved to Secretary of State, he didn't say anything about taking his place. This is my Senator as...like it is everybody else and, Al, it's just great to see you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

On the Order of Senate Bills 3rd Reading is Senate Bill 1244. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1244.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. House Bill 2144 requires industrial...facilities generating hazardous waste to certify prior to selling their property that their properties are clean or on a schedule for cleanup. This bill transfers the burden of cleaning up industrial sites from the state and Federal authorities to the owners of the property. I'd be happy to answer questions, I'm sure there are some.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Macdonald.

SENATOR MACDONALD:

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

really have to rise in strong opposition to this piece of legislation. We have precedence in other states, while they're not identical bills, they certainly are so similar that we couldn't predict from the experience in New Jersey that has passed this kind of legislation how disastrous it can be. Under the New Jersey plan, because of the delays that are caused by this kind of legislation...the sale of property has taken up...in many cases up to six months. The industry has recognized this problem and they've committed to forming an internal task force to examine the problem and possibly they will be able to resolve the problem. In this particular piece of legislation, for instance, we don't know what is clean, what standard is being used, will it be on a case-by-case, which I presume it is. In New Jersey since 1983 when...when their bill was passed, they're still doing their permitting on a case-by-case basis. The backlog for this particular legislation would be horrendous and I...I just think it would be...not feasible at all for the EPA to handle this task that's being put before them with this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland. Senator Keats. Senator Maitland.

SENATOR MAITLAND:

...thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Once again, I...I understand and respect what the sponsor is attempting to do and I believe with the...with the amendment, Senator Joyce, as I've read it, I think...I think it's an improvement but I...I...I still am terribly concerned about two points. Number one, in...in your definition of...industrial establishments, could you at least give the Body the parameters within which you believe this might be?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank...thank you. Only the businesses that apply are the ones who register with the Federal OMB.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Well,...and I understand, but...that doesn't really mean too much to me. I want to know what kind of businesses are these.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, the ones that handle chemical or toxic waste.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

All right, could this...would this possibly include a small county fertilizer plant?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

No, they handle agriculture commodities, they are not included.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

It would then cover perhaps a fuel oil bulk plant that distributes fuel both to...to agricultural uses and others?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Let me give you the exact language. "Industrial establishment means any place of business engaged in operations which involve the generation, manufacture, refining, trans-

portation, treatment, storage, handling or disposal of hazardous substances or waste on-site, above or below ground."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Which then would mean a filling station or something like that, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

If they are required to register with the OMB.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Are gas stations required to register?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

My handlers tell me they don't think so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

How about a bulk fuel plant?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

There, again, they will know. If they're registered, they will know if they are registered.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Yeah, I'm not being argumentative, Jerry, I'm just...I don't know the parameters that we're dealing with here. We

have no idea and...and...and if we are...if we are looking at...at regulating four or five possible sales a year of major contributors to...to the possible environmental problems, then I...I think it's good. But I...I really don't know from reading this amendment, and I have read it, exactly how...how broad we're getting here and I...and that concerns me a great deal; and then, of course, to the...to the issue, if...if the number is great, it's going...it's going to really slow down that economic development that you were talking about yesterday for your district. If we delay because of numbers, then I think we are creating a problem here and I...my concern is I don't know the parameters and that bothers me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Let's pick up the pace. Senator Joyce may close.

SENATOR JEROME JOYCE:

Yes, thank you. I...I would just contend that the businesses that are affected by this know who they are and I think it is their obligation. In my area, the reason I have this bill, a company from New Jersey went to locate here and...in Kankakee and they said is this building been certified? Well, we didn't have any way of knowing. So they had the EPA come and check it out and it was contaminated and they had to clean it up and they almost left the site because of the contaminated building. So I contend that this...this bill, if it passes the Senate will have a lot of negotiations in the House before it ever comes...and before anything happens there and I...I contend it'll also come back here for more negotiations. I think it is just something that we ought to do and...and this would be a good place to start it. I'd ask for a favorable vote.

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END OF REEL

REEL 83

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1244 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 21, 2 voting Present. Senate Bill 1244 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1245, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1245.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. Senate Bill 1245 is an amendment to the Public Utilities Act, and it's a very good customer, consumer and utilities bill. What the bill does is, if after the finding of the ICC's ruling and in...and/or a court suit it is found that the customer has been overcharged, that the refunds to the customer shall commence upon the date of the complaint. It works both ways. If the utility company's...the amendment makes it work both ways, if the utility company finds that they have, indeed, undercharged the customer for the services, they, too, may make an appeal by this order and receive the monies that is due them. This bill makes every person whole; in other words, the customer is made whole if he has been made to pay an overcharge and the utilities can be made whole if they have been undercharging for their utility services. And I

respectfully request an Aye vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? The clock is on. Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will the sponsor yield for a couple of questions?

PRESIDING OFFICER: (SENATOR DEMUZIO)

She...she indicates she will yield. Senator Hawkinson.  
SENATOR HAWKINSON:

Senator, procedurally how would this be done? If...if the utility has been undercharging and they're going to put a surcharge on, will they put that surcharge on people who just moved into the district or how will they do this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Alexander.

SENATOR ALEXANDER:

It would...it would be for all of their customers who had moved into the district and would be using their services.

SENATOR HAWKINSON:

So...so someone who'd just moved into the district who bought a home whose previous owner was getting a break on the rate would have to make up for it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

Technically, yes, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, a question of the sponsor, if she'll yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...indicates she will yield. Senator Jacobs.

SENATOR JACOBS:

Senator, we did discuss that there may be a further change in this to the...to make the change to the time of the complaint issuance. Are you willing to work with that in the House?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

Senator...Senator Jacobs, I've already noted my file that in the event this bill is passed that there shall be a corrected amendment in the House that the surcharges and overcharges shall commence from the date of the complaint rather than from the date of the commission as...ordered.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? We have three additional speakers. Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I reluctantly rise to oppose this bill. If this legislation passes, utilities could find themselves being regulated by the courts. We, just a few years ago, passed our...our substantial overhaul of the utility...issue in Illinois, and I think we really in...in all fairness should not go to a totally different system this soon after making that arrangement. I think this would be a bad precedent and I oppose this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in opposition to this bill because you now...if this bill would become law, and heaven help us if it did, you're now putting the courts into the rate making where they have no expertise, they have no staff to say whether this is legitimate rate by the company or a not legitimate rate. What you're saying is,

they can go to court, the court will decide whether the surcharge was too much or not enough, you're saying that those individuals or companies or factories that had had the break if the rate had been too much or too little and who have left that facility and left that area that they overcharge, they'd lost it because whoever is running the factory get it. If someone moves in at the last minute or just bought a new home and the rate had been too much, they're going to get hit to make up the difference that someone who sold the house. This is totally unfair, and we don't need the court in the rate making business. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Doc, you know...what you just said, Doc Davidson, is totally incorrect. I mean, you know, I'm not...what you said is that the courts are not in the rate making business and that's true, they're not in the rate making business, the ICC is in the rate making business. But in our legal process the court does hear appeals of rate decisions made by the ICC. And in this particular case, Judge Curry ruled that the customers were entitled to a refund. I mean, this is the legal process that rates go through in the State of Illinois and the judge did rule that the customers were entitled to a refund, but he said he couldn't order the ICC to pay the refund from the date of the complaint which legally they were entitled to, but only from the date of his order which was a year or so down the line. And this bill simply said, if there is a refund owed to the customers, that they should get it at the appropriate time when the rates went into effect from the ICC. There's nothing onerous about this bill, it's a good bill and we should all vote for it.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? If not, Senator Alexander may close.

SENATOR ALEXANDER:

Thank...thank you, Mr. President. And furtherance, the present...request in Senate Bill 1245 does not change anything that is already in law. If you look at the bill, those of you who are interested, on page 4 commencing in line 5, it reads, "the court shall, shall, reverse a commission rule, regulation, order or decision in whole or in part if it finds that there has been...overcharges or undercharges." So we have not and we are not changing the law whatsoever if we pass this piece of legislation. We're merely saying that you, the customer, who may have been overcharged should be made whole; and in the event there has been an...a undercharge, that the company likewise, it works both ways, everyone is entitled to this privilege. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1245 pass. 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 31, the Nays are 25, none voting Present. Senate Bill 1245 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1248, Mr. Secretary. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1248.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is a bill that applies only to counties over one million, so it is a bill applying only to Cook County. It says that in

any case where a change in assessed valuation of more than a hundred thousand dollars is sought, the county assessor and/or the Cook County Board of Appeals would have to provide notice to all the taxing districts affected and then the taxing districts would have thirty days to file a cross-complaint. This makes the state law uniform because in counties outside of Cook this is already the law. So all it does is give taxing units the notice and then allow them to file the cross-complaint. I'll be glad to answer any questions, I solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This is not a bill that I supported in committee, I think the vote in committee was 6 to 1 to 2, although I have been generally supportive of attempts to help assessing districts...or taxing districts, rather, to...to understand what was happening to them when assessed valuation was changed. But this bothers me even though I fully acknowledge that the right exists in other parts of the state, for a couple of reasons. One is that Cook County just is different, not just in...in degree but in kind because of the enormous number of complaints and the enormous number of taxing districts that are...within the county borders. I think some seven hundred taxing districts, if I'm not mistaken, are within Cook County, so that, you know, you've got the possibility of a...of a great deal of, if you want to call it, mischief or at least unsettling circumstances involving the assessed valuation of property. So, I...it is not quite the same as it is in other parts of the...of the state. It is also true, as I understand it, that the...a taxpayer may challenge the assessment of someone whose property is not...is being assessed but it is not his own. So that it seems to me that...that in a case where there is

something that is...seems to be out of line and the taxing unit feels that's it going to be...that it's going to cost at a great deal of money that there is...there is an alternate available which is to find another taxpayer who would challenge the assessment. That device is available and I assume it's probably used right now, as a matter of fact. I personally have some difficulty with the basic principle of a unit of government having the right to go in and challenge an individual or even a corporation's assessment. Again, I fully understand that's the law in other parts of the state but it bothers me there as well as here. So, for that combination of reasons, I did not and will not support Senate Bill 1248.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in strong opposition to Senate Bill 1248. Two years ago, my recollection is, we had an identical bill that did not get out of the Revenue Committee for obvious reasons. This is totally unworkable and it's more than notice, much, much more legally than notice. You are effectively giving standing before the assessor and before the Cook County Board of Tax Appeals to a...to a taxing body, and that, in my judgment, is...is awfully onerous and probably will fall within the State Mandate's Act in terms of expanded services that must be paid for by the state to the Cook County Assessor and to the Cook County Board of Tax Appeals when they have to, in fact, give notice and afford the opportunity to be heard to literally hundreds and hundreds of taxing districts. I just think this is a mistake and you are...you are going to make a...an already overclogged, overburdened system even more clogged and burdened, and I...we just ought not do this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I, too, would like to join the comments of Senator Netsch, this is just going to create so many problems up in Cook County that I would ask...it's well-intentioned but it is just not going to...to work. I would ask that we defeat this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Woodyard.

SENATOR WOODYARD:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield, Senator Woodyard.

SENATOR WOODYARD:

Is this...is this the bill that...where you were trying to attack the balloon levy...the problem of the balloon levy?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

This is the bill where I was trying to deal with the problem that some of our school districts are having by not getting any notice of a change in the assessed valuation. They've made out their school budgets and now they get the word late in the game, I think it's a different bill than you're talking about, Senator Woodyard?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Well...I think that the...it's a similar situation and...I believe this is the bill in which I made the comments in...in committee that...that the way to address this situation on the matter of the levy is not this type of...of legislation but rather to go to the prior year EAV so they

know what their levying on. And I don't know why this General Assembly cannot seem to...to get itself together and get that done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR KUSTRA:

First of all, Senator Woodyard, I still don't think we're talking about the same bill. I don't think what you've just said relates in any way to what the problem is here. This is a problem that occurs in Cook County in some school districts that have large pieces of corporate, industrial or shopping center properties and these large shopping centers go in to the Cook County Board of Appeals or the assessor, they seek a change and they're trying to find a way to get notice, they can't get the notice. They've already made their budgets out, now, all of a sudden, they find out they're going to realize less dollars. To Senator Rock's point about the hundreds and hundreds of taxing districts affected, that really isn't the case because it...the bill only applies to cases where the assessed valuation change is in excess of a hundred thousand dollars. Now if you stop to think about it, there's not going to be that many situations that...to which this bill would apply, 'cause there won't be that many cases where the taxpayers would have that much property change, that much...that much assessed valuation changed. Again, the major point of this bill is that it's done in a hundred and one counties, and what's good for a hundred and one counties ought to be good enough for Cook County. I solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1248 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

who wish? Have all voted who wish? Have all voted who wish?  
Take the record. On that question, the Ayes are 22, the Nays  
are 29, 6 voting Present. Senate Bill 1248 having failed to  
receive the required constitutional majority is declared  
lost. 1251, Senator Newhouse. On the Order of Senate Bills  
3rd Reading is Senate bill 1251. Mr. Secretary, read the  
bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1251.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr...Mr. President. Mr. President, this  
Senate Bill 1251 is an attempt to make some...make uniform  
the direction in which this department is going. It would  
provide that the council will have...shall make the certifi-  
cation process. That means that we won't have the  
proliferation of different standards by which this decision  
is made. And I know of no objection, I'd ask for a favorable  
roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill  
1251 pass. Those in favor will vote Aye. Those opposed Nay.  
The voting is open. Have all voted who wish? Have all voted  
who wish? Have all voted who wish? Have all voted who wish?  
Take the record. On that question, the Ayes are 33, the Nays  
are 18, 6 voting Present. Senate Bill 1251 having received  
the required constitutional majority is declared passed. On  
the Order of Senate Bills 3rd reading is Senate  
Bill...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I've had some inquiry on 1254

JB 1257  
3rd reading

which relates to the public housing authorities across the state. Frankly, this was discussed in our mayoral up in Chicago. I thought it was a good idea, I still do; the fact of the matter is that I have been informed by Miss Gaines who runs that authority that this is currently under consideration by the board, so I'd just...I'd prefer to...our board to do it. So, I'm just going to hold this one. I'd like to move ahead with 1257.

PRESIDING OFFICER: (SENATOR DEMUZIO)

On the Order of Senate Bills 3rd Reading, Senate Bill 1257. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1257.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1257 is an attempt by Senator Philip and myself to respond to a Supreme Court opinion and the concern of the Supreme Court insofar as collective bargaining for public employees is concerned. The court is, as you know, the third branch of government and there was some question as to whether or not court employees were subject to the Public Employee Collective Bargaining Act. The court ruled that they felt they were subject to it. They, however, would like to have an Act...similar Act,...Act constructed and so they have asked us to...to work with a Statute along with which they will promulgate a Supreme Court rule to provide for uniform collective bargaining for public employees statewide. We have...Amendment No. 1 which was added to this bill was as a result of negotiations between the AFL-CIO, AFSCME, representatives of the court and representatives of both our

staffs. The question is not...not yet, I don't think, finalized, but in order to move the process along, I am asking that you give your favorable support to Senate Bill 1257 and we will...we will, I am sure, see this one again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1257 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1257 having received the required constitutional majority is declared passed. Senate bills 3rd reading is Senate Bill 1262. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1262.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1262 would establish one dedicated fund to totally support the department...the department regulates now thirty-one occupations and professions with six hundred thousand individual licenses. Occupation and professions is being regulated with...should completely support the operation of the department. In addition, an increase in the number of dedicated funds works against this concept. The five dedicated funds extend to aid in Fiscal 1986. This is a negative trend for the proper management of state funds, annual cost savings from three to four million dollars of GRF. This was a recommendation from the Governor's Cost Control Task Force and this appeared on page 204 of that task

force. Let me point out that the fiscal note that was filed by the department reads as follows, "Consolidates current disciplinary funds under the jurisdiction of the Department of Registration and Education into one fund called the Department of Registration and Education Disciplinary Fund. The bill calls for no new increases to either revenues or expenditures. The dollars generated by each fund will be transferred to the new fund. The average annual revenue and expenditure estimate of each fund is as follows," and they list the four million three as far as in annual revenues, the four million one as far as annual expenditures. "The Governor's Cost Control Task Force estimates savings of three to four million dollars on a one-time basis. Signed, Gary Clayton, Director." The question here is whether you are going to take the recommendation of the task force where you can save the taxpayers three to four million dollars by this type of consolidation. I think it's worth the investment and the bill and I encourage an Aye vote.

PRESIDENT:

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, frankly, I have to rise in opposition to this. I guess this is another case of forgetting the mistakes of the past. These separate funds were created for a reason. I've heard a lot of rhetoric in the last few years about the department not doing enough to go after bad doctors. Well, at least now all those doctor fees...and we sold those doctor fee increase on the basis that those things would be put in a special fund and that would house and fully fund a vigorous effort to go after the bad doctors. Now for us to turn around and say, okay, it's in a slush fund now and we're going to...maybe next year we're going to spend...that it will be...we'll be going after some of these new licensees that we're...that we're doing. We're going to go after cos-

metologists next year and we're going to beef that up and we're going to put forty-eight patronage hacks on and suddenly there's nobody there to go after the doctors. The doctors are saying, wait a minute, our...our...our fee used to be ten bucks a year, now it's two hundred; we were told that money was going to be used to regulate our industry, what's it doing going after cosmetologists? I think that those funds were created for a reason, I think we made a commitment to those people because we raised their fees on the basis of a separate fund to police their industry and, I'm sorry, I have to reject this bill as a bad idea and a breach of faith with the particular...professions we regulate.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I think there is a lot of confusion about your bill, Senator, and, frankly, I was confused about it when it was in committee. I...I want to save three or four million dollars in state money just like you do. And you make the point and quote from the Governor's own task force, and I...I recognize that you do. I think the problem is that...that there are several readings of the Governor's task force report. And what your bill does, in my opinion, will not save a dollar, because simply taking these dedicated funds and putting them into one fund will not of and by itself save anything, and that...as I read your bill, that's what your bill does. It seems to me that what the Governor's task force people were talking about is that we could save between three and four million dollars if we eliminated all these dedicated funds and put all that money into the General Revenue Fund. And the department tells me that, yes, in fact, that would be a saving to them because they could then deposit all the license money into General

Revenue Fund and thereby out of general revenue funds support all the ongoing licensing activities that they have, whereas now many of those license fees go into dedicated funds and the department can't get them to expend for their own purposes until they come to us and appropriate the money out of the disciplinary funds. It seems to me we probably are all trying to do the same thing but you're...I don't think your bill is going to do it, and...and I'm not...I'm not against what you're trying to do, frankly, but I don't think your bill really accomplishes anything. So, at this point, we would have to stand in opposition to the bill.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in opposition to this bill because a number of years ago when I and other people who had at that time a permanent license gave up that permanent license to a annual two, now a three-year renewal with a very substantial increase in the yearly fee, and we just passed out of here last week...it up...more than double what it was for the purpose that we knew that we had to be policed to get rid of some bad eggs. The only way we could do it, we said we will assume the responsibility of that financial obligation to do that. That was the agreement, that money was going in that escrow fund and the reason we went to the escrow fund is 'cause when we first gave it up and went to a...every two year renewal license fee at a substantial increase, the money did go in general revenue. But the wisdom of the General Assembly, I was not here at that time, didn't appropriate it back out to do the enforcement and investigation and, consequently, we didn't remove the bad people. This is not a good bill.

PRESIDENT

Further discussion? Further discussion? Senator

Lechowicz may close.

SENATOR LECHOWICZ:

Thank you, Mr. President. This is a good bill. Any time you can save the taxpayers of this state three to four million dollars, this is a good bill. This is one of the...we are one of the few states in the United States that has these respective funds set...set aside. Florida eliminated it four years ago, New York eliminated it six years ago. Here we are in Illinois, you're telling me about...funds. You know what it's all about. The medical profession has lobbied against this bill because they put in one million one hundred thousand dollars in revenues. We expend one million one hundred thousand dollars out of that fund. Who have they caught? Who are you kidding? You're not kidding me or you're not kidding the public of this state. You want to talk about the Pharmacy Disciplinary Fund, see who they caught? The Dental Disciplinary Fund, who they caught? The Real Estate Administration Fund, who they caught? Design Professional Fund, who they caught? Who's kidding who? You go out into the campaigns, you talk to the people in your district and they ask you about money that can be saved in State Government. Well, here is one idea that is a recommendation of the task force...the Governor's own task force. Now we have the Republican Party stating for the medical profession that it's a bad idea, it should cost the taxpayers three or four million dollars, that's a sham. This bill deserves an Aye vote.

PRESIDENT:

Question is, shall Senate Bill 1262 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 23 Ayes, 33 Nays, 2 voting Present. Senate Bill 1262 having failed to receive the required constitutional majority is declared lost. 1268, Senator Savickas. 1269. On the Order

of Senate Bills 3rd Reading is Senate Bill 1269. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1269.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Senate Bill 1269 was drawn up with the intention of trying to establish a park ranger program in a pilot program basically to use in our Grant Park and downtown areas to enhance the public enjoyment and safety of parks within our jurisdiction. Hopefully that we can receive and expand...expand state grants for programs. We would like to model it after the New York system that they use in Central Park. Purpose is not to have armed rangers but to have an informational type program, men and women that would patrol the parks, have communication system to a central area, be informative on what programs, what's going on in to the park, be of service to the users, to our visitors. Hopefully, by the visability of these park rangers there will be a sense of security and a sense of usefulness of the park system. That's...that's the purpose of this bill. Obviously, there are many questions to it, many questions that I probably can't answer, and it needs fine-tuning. I think the concept is what we're talking about now, a concept that we should try to promote, try to put together so that one of our biggest tourist attraction cities in our country, Chicago, one of its huge, beautiful lakefront park areas can be utilized to its fullest for our constituents that live there and the tourists that visit. I would move its passage.

PRESIDENT:

Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. As minority spokesman, I would like to know, for the record, since this does have a...quite an impact on the taxpayers of the City of Chicago, how...and which is a home rule city, how many votes will it take to pass this?

PRESIDENT:

An amendment to the Park District Code, it requires thirty affirmative votes. Senator Dudycz.

SENATOR DUDYCZ:

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

PRESIDENT:

Sponsor indicates he'll yield, Senator Dudycz.

SENATOR DUDYCZ:

Senator Savickas, as you know, the Chicago Police Department currently patrols the...the lake front area with the police officers on horses, they have canine patrols that patrol the beaches. During the summertime they have the summer mobile force units and they have the beat patrols and other special assigned police officers to the various parks. At our...evening hours when there are people present, how would...how would this legislation affect the deployment of the Chicago police officers? Would this exclude them? Would this force the Chicago Police Department to disband their horse unit or...because they are the ones that are primarily responsible for...currently for all the policing and patrolling of the parks.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, no, Senator Dudycz, this would not eliminate the police department. What we're trying to add is a...an element of concern there. Obviously, the police do patrol, they

go through it, we're talking about people that...maybe rangers isn't the right word, it's the only word that we use patterned after the New York City's version...people that would be there, uniformed people, that would respond to maybe senior citizens, to young groups in the park, being able to direct them, to notify maintenance when they...as they tour around...of needs and problems that are occurring in the park, to be in...if there is an accident or if someone is sick, to be able to communicate with their superior immediately. Yes, the police...the police are there responding to a...more of a criminal, more of a supportive, more of a prevention of crime. What we're asking is that we have people that deal directly...you could probably call them the social workers of the park district system. Basically, that's what we're talking...people that would work with visitors, work with individuals that are looking around, wondering where to go, what to do, people that will just be a...a park type ranger concerned with what's going on in the park and how to provide services for those people that are using it.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Well, it seems like to me that you are describing a program which is very similar that the Chicago Police Department currently has in other areas, such as the Beach Representative Program in the communities or the Cadets or the Traffic Aides. Right now, they have replaced the police officers downtown with uniformed nonarmed civilian personnel. I would think that if...if we were to provide this type of activity or this type of service in the parks, maybe it would be best utilized if it went through the Chicago Police Department...which has the structure already rather than form a complete new safety unit within the park district.

PRESIDENT:

All right. Further discussion? Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. I...I honestly don't understand what the confusion is on this bill. I sat in Local Government Committee and heard it, I think it's a terrific concept. It's a ranger concept, it's a concept that is not going to circumvent any of the authority that the Chicago Police Department has with the parks. It's an add-on so that tourism...people that are interested in using the park district can use it. Senator Fawell and others sat in that committee and I think it's a great concept and should receive all of our support.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. I think I declare that I have some sort of a conflict of interest but not in any literal sense. The idea was Walter Netsch's and it was based on the experience of...in...that he had seen in looking at urban parks in a lot of other cities. Senator Dudycz, they're not primarily safety people, although they may incidentally perform a supportive role in that respect. What they do is they provide a continuing presence...when...when the program works well...a continuing presence which makes that...just everyone feel more secure in a park. They are there to be able to answer questions, they are there to be an anchor particularly for kids to help them come into the park and, you know, if a kid says, what kind of a tree is that, there's a park ranger there who can help them understand those things and help to get them to respect their parks and, therefore, make use of them more. I think it really is a very nice idea, even though my husband did think it up. And I hope there is an opportunity to put it into effect in the Chicago parks.

PRESIDENT:

Further discussion? Any further discussion? Senator Dudycz, for the second time.

SENATOR DUDYCZ:

Well, I...I apologize for sanding up a second time, Mr. President, but I beg to differ with my colleagues on the other side of the aisle. The...the Chicago Police Department currently has the facilities and the abilities to implement this type of a program without creating a new patronage army for the park district. I think if...if you want to do this, I think it's a great idea but why can't you just direct it through the Chicago Police Department rather than through the park district? And I just stand...in opposition.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this legislation because in Rockford we have been doing this for years. We find this more economical than to have police patrol of the parks, the park rangers do an absolutely fantastic job, people look to them for support, for help and it's one of the things that has brought probably more support taxwise to our park district than any other program. People feel they can use the parks with safety and that there is someone nearby whenever they need them.

PRESIDENT:

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

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, this is not in competition with the police department, this is a tour guide type, this is a informational type ranger. Yes, the police department has the responsibility to provide for the safety of our people and that's what they do. When people go

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into a park they don't look to a policeman for information, this is what this is, someone to work with them, guide them in the park. A policeman is there as a signal of authority and not a teacher and an informational...person. I would think that if we take in that vein that this is a good bill, it's a good concept, let's move it along, let's fine-tune it, and hopefully Chicago can enjoy some of the benefits that are shown in other communities.

PRESIDENT:

Question is, shall Senate Bill 1269 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, there are 34 Ayes, 18 Nays, 3 voting Present. Senate Bill 1269 having received the required constitutional majority is declared passed. Senator Kustra, 1271. On the Order of Senate Bills 3rd Reading, bottom of page 11, is Senate Bill 1271. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1271.

(Secretary reads title of bill)

2nd reading...3rd reading of the bill.

PRESIDENT:

. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. The Calendar lists what was the original purpose of this bill. It amends the School Code to require the State Board of Education to establish suggested procedures for the identification of new students, et cetera. I think it's safe to say that isn't what's significant about this bill anymore. Senate Amendment No. 1 was added by Senator Barkhausen, it restricts the use of funds raised by fire prevention and safety tax levies. Senate Amendment No. 2, by Senator

Barkhausen, also authorizes the State Board of Education to waive the participation requirements for in-service training workshops on evaluation for administrators whose school boards already provide such training satisfactorily. And Senate Amendment No. 3 provides that mandated instructional programs which are not fully funded with the exception of special education programs and school lunch programs may be discontinued by a school board, any school board discontinuing a program prior to December 1st of the year preceding the beginning of the school year. If full funding is provided for a discontinued program, it must be reinstated. I will, in a moment, yield, and Senator Schaffer, who offered Amendment No. 3, I know wants to speak as does Senator Berman. But let me just say that I...I think the Amendment No. 3 which has been added is an amendment which recognizes that the best people in this state to tell us how our kids should be educated are the people we elect to run our school boards. If this General Assembly sees fit to enact a mandate and then turns around and cannot fund that mandate, it seems only reasonable then to allow the school board to decide whether or not it wants to implement that particular mandate. This amendment in no way cuts off automatically any program anywhere in the State of Illinois. It just says if the state isn't going to provide the money, then the locals are going to have to make the decision whether they can provide the program. I would be more than happy to yield to my fellow Senators who I know would like to comment on this.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Senator Berman passed out a...an epistle on this bill which indicates a high level of interest, which I guess should not come as a surprise. And I think in that epistle, if I can, I would like to address one of the concerns. Sena-

tor Berman did not get to be chairman of the Senate Education Committee by being a dolt, he's pretty sharp and I think he makes one very good point in that, and he and I have discussed it and that's the question of absolute full funding. He's right; sometimes, for instance, on transportation figures, we're told it's going to cost ten million dollars, we appropriate ten million dollars and it comes into ten million one hundred thousand. What I am suggesting to you is that I realize that is a problem and that after reviewing some of the figures from the Office of Education, I'm suggesting if we send this bill over to the House, we can put an amendment on to arrive at ninety or nine-five percent funding because it's not my intent that we let school districts off the hook for mandated programs that we miss funding by mere pennies. But, again, I would reemphasize, as I did in the amendment stage, that it is now becoming pretty apparent that there are not going to be the number of dollars available for education that we want. We are currently not funding some of the mandates already and it's pretty obvious to me that unless something rather dramatic happens, and I don't see too many green votes on that right now, that we are going to be faced with cutting back our support to education. And when we do that, we're going to force some school districts into some very difficult positions. All this bill as amended does is say to those school districts, yes, we did make you do it; no, we didn't come up with the money we promised you, but until we do come up with the money, you, if you want to, can go to the state board and opt out on a one-year basis and if we fully fund it the next year, you're right back in. What's the motive behind the amendment? I'll be real up-front, there's always a reason and then there's a real reason. The real reason, I want to see us take whatever dollars we have available for education and fund our promises, our commitments, not get lured into some new program or throwing money

down...something else. I want to see us keep our commitments. I think this amendment will help us do it. And if we can't keep our commitments, I don't see how we cannot say to the school districts, we will give you some flexibility on some of the mandates. I, again, point out that the school aid lunch program and special ed. are not included here. I'd like to give the local districts a little control, but I do agree with Senator Berman, if we get this bill to the House, we'll come up with some language to make sure we don't let people off the hook just 'cause we came in a few bucks short of the mandate full funding.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

...thank you, Mr. President, Ladies and Gentlemen of the Senate. I stand in opposition to Senate Bill 1271 for two reasons, one is short. We passed the school ed...school reform bill two years ago. One of the things that we wanted was to have our administrators trained in the evaluation of teachers. There is an amendment on this bill that allows the state board to waive the in-service training of administrators. I think that's a step backward; that alone is enough to vote No on this bill. But let me address Amendment No. 3 that Senator Schaffer has referred to. If we, the General Assembly, provided only categorical aid for every program that we require in every school curriculum, then his amendment makes sense. But we're not. Let me tell you, in this fiscal year that we're in now, we appropriated six hundred and fifty-three million dollars for categoricals and that's what this amendment says. If we don't fully fund the categoricals, the programs that we mandate, the local school district can drop it. And if that was all the money we gave to the schools it may make sense. But, ladies and gentlemen, we have appropriated three times that amount, one billion

eight hundred and twenty million dollars of general state aid to every school district in this State of Illinois. And under his amendment, if we're ten bucks short or a thousand bucks short or a hundred thousand bucks short because some pencil pusher over at the state board gave us the wrong number, some school district to prove a point is going to drop a program. I passed out this letter because I want you to understand what we're talking about. I cannot be responsible for some of the points that some local school district may want to prove, but I will tell you this, and Aye vote for this amendment might result in the elimination of some of the core curriculum courses, those are the courses that we said ought to be taught in every school in the State of Illinois. High school graduation courses might be eliminated because of some slight discrepancy or major discrepancy but some discrepancy in funding. Drivers ed., pupil transportation, vocational ed., bilingual ed., adult ed., every one of those could be in jeopardy. Now I don't think that's going to happen but we're authorizing them to be in jeopardy by a Yes vote on Senate Bill 1271. We give big money in general state aid, a billion eight hundred million dollars, that gives those school districts plenty of leeway to fund what we think is important and what we expect them to do. We do our best in the categoricals, we're usually at ninety percent plus, and I think that that certainly is a pretty good...performance level for this General Assembly. I urge a No vote.

PRESIDENT:

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I just rise momentarily because the first point that Senator Berman made addressed the amendment that I put...had put on the bill with regard to the in-service personnel training. And let me quickly clar-

ify what that amendment does and does not do. The Education Reform Act of two years ago, laudable as it was, really means to raise the...the least common denominator for the schools of our state, and in the teacher evaluation area, there are many schools in this state, I would bet most of Senator Berman's schools in the City of Evanston, that vastly surpass the teacher evaluation requirements embodied in the Education Reform Act. I know a number of my school districts for years have had teacher evaluation that...that greatly surpass this requirement. This amendment is totally discretionary with the state board to identify upon application from school districts those districts which do already meet or surpass these intended requirements of the Education Reform Act, and if the state board finds that to be the case, then in...in such case they can waive the in-person training requirement...included in the Education Reform Act. Senator Berman referred to pencil pushers at the State Board of Education, and I would suggest that many of our school districts know far better already how to train their own personnel and how to evaluate their teachers than the people they're required to listen to when they take days off from their school to attend one of these meetings. And I suggest that we authorize the state board to give our school districts some additional flexibility. We're not going to give them much money, this is the least we can do for them.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I rise in opposition to Senate Bill 1271, and let me indicate to the Body that no one has fought the mandates any more than I have and you all know that. But nonetheless...and I understand the impetus for the bill. Senator Schaffer represents a district like I do and like many others who benefit more by more fully funding the

categoricals and we all know that. And I've sought every year to...to increase the fundings for categoricals and will continue to do that. But for those of us downstate...and the transportation issue was mentioned, that's extremely important. We have, as far as I know, in the nine years I've been in this Chamber, ever fully funded transportation. I could be...stand corrected on that but I don't believe so. And the commitment has been made...the commitment has been made that this will be dealt with in the House. But everyone in this Body know as I do that no one can trust what the House does. Heaven only knows what they might do on this one. And for those of you who...who need transportation for the students in your district, need to look at this one, because it could impact very negatively upon you. Again, Senator Schaffer, I understand the purpose, I think the signal has been set...sent, and, therefore, I think we ought to defeat Senate Bill 1271.

PRESIDENT:

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

SENATOR KUSTRA:

Thank you, Mr. President. Maybe what we need in response to Senator Berman is...is an amendment which would at least deal with maybe ninety percent funding. I'd certainly be willing, if this gets over to the House, to...to offer...or honor that kind of an amendment. Again, I think it's all been said. The fact is that we are in serious trouble in our schools this year and no one is willing to step forward and offer how we're going to get out of the funding crisis, and until that happens, I suggest that at the local level we give our locals the options to cut into some of those programs if they feel they have to do that if we're not going to provide the funding. I solicit an Aye vote.

PRESIDENT:

Question is, shall Senate Bill 1271 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 19 Ayes, 37 Nays, 1 voting Present. Senate Bill 1271 having received the...failed to receive the required constitutional majority is declared lost. Senator DeAngelis, for what purpose do you arise, sir?

SENATOR DeANGELIS:

Point of personal privilege, Mr. President.

PRESIDENT:

State your point.

SENATOR DeANGELIS:

Tomorrow, if we are out of here, one of our members will be celebrating his birthday, and he's going to do it in a grand style, it's going to be with a lot of cars, a lot of flowers, big cars. And...no, it's not because it's Memorial Day, it's actually Stan Weaver's birthday and he's got three funerals.

PRESIDENT:

Much as we love you, we don't want to be here with you, Stanley. Top of page 12. Senate Bill 1272, Senator Welch. On the Order of Senate Bills 3rd Reading is Senate Bill 1272. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1272.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill will do is add the state superintendent of schools to the list of succession of those charged with the responsibility of filling vacant

school board positions. Currently, when a vacancy occurs the remaining school board members have the responsibility to fill that vacancy. If they fail to do so, the regional superintendent assumes that responsibility. This bill adds a third person to that list, the state superintendent. The bill also reduces the time frame during which the vacancy is to be filled to fifteen days for the school board; if they don't act, the regional superintendent has fifteen days; if they don't act, the state superintendent has thirty days. I would ask for a favorable vote.

PRESIDENT:

Discussion? Discussion? Senator Keats.

SENATOR KEATS:

The bill has two parts. The first part...is really speeding up this process, which is a good idea. The second part is an interesting philosophic one. Right now, with the exception, I believe, of one school board, every school board is elected. When there's a missing member, the elected members replace him. If they can't do it, the elected regional...superintendent replaces him. This bill changes it to now say, instead of elected officials appointing an elected official, we will now have an appointed official appointing an elected official. Now, just think about that in terms of precedent. I mean, we're at a stage where people who normally would stand for election, where their views would be weighed by the electorate and decide which one they want, will now be appointed by someone who is not elected and does not face any of the pressures that an elected official should to represent their constituency. But see the bill has two parts, the first is speeding it up, and I commend the Senator, that's a good idea, we really ought to. The second one, do you want to set the precedent of saying elected officials should be appointed by unelected officials?

PRESIDENT:

Further discussion? Further discussion? Senator Welch, you wish to close?

SENATOR WELCH:

Well, I can think of one excellent precedent for that, Senator Keats, and that is when Gerald Ford became President of the United States, he appointed Nelson Rockefeller vice-president, so I guess there is a precedent for that. But this is intended to take care of situations such as Homer, where a...where there was a vacancy that didn't get filled. And I'd ask for a favorable vote.

PRESIDENT:

Question is, shall Senate Bill 1272 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, there are 36 Ayes, 21 Nays, none voting Present. Senate Bill 1272 having received the required constitutional majority is declared passed. 1278, Senator Newhouse. On the Order of Senate Bills 3rd Reading, top of page 12, is Senate Bill 1278. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1278.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, I finally got one that's an agreement. This is an agreement between the Illinois Physical Therapy Association and the Department of Reg. and Ed. and it does several things. It clarifies the individuals who practice physical therapy without a license are...are violating the Act. It clarifies the roles of the director on

the committee in administering the Act. It increases the penalty for second offense for violations under the Act by a licensed physician...physical therapist and for individuals who practice physical therapy without a license from a Class A misdemeanor to a Class 4 felony. It increases the size of the physical therapy licensing...disciplinary committee from five to seven persons, one of whom shall be a public member. It increases the annual fee for renewing a physical therapy license from twenty to thirty dollars. It allows the Department of Reg. and Ed. to issue fines not to exceed five thousand for violation of the Act, and that is the bill. I know of no objection, this is an agreed bill, I'd ask a favorable roll call.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall Senate Bill 1278 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question there are 59 Ayes, no Nays, none voting Present. Senate Bill 1278 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, 1286, Madam Secretary, 1-2-8-6. Read the bill, please.

SECRETARY:

Senate Bill 1286.

{Secretary reads title of bill}

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Relax, Roger, I skipped it. Your...your...your amendment was just too much. Senate Bill 1286, I don't know why it was not on the Agreed Bill List. It simply allows a bank which is a trustee also to invest or deposit a trust assets in the

bank's own services. Apparently there was some ambiguity as to whether or not this would be a conflict of interest. This bill adds the term "investments" and therefore indicates that a bank who is a trustee may also provide its own services too. I...I know of no opposition, I would ask for favorable support.

PRESIDENT:

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I have opposition. What this says, it allows a bank to enter into agreements for...for a bank or the deposit accounts and et cetera with a bank operated by itself or affiliated with it. In other words, if the bank is a trustee, how are we going...a trustee is...is supposed to have the highest degree of diligence. It's a fiduciary. I don't think it's wise legislation and I speak against it.

PRESIDENT:

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

SENATOR DEMUZIO:

Just roll call.

PRESIDENT:

Question is, shall Senate Bill 1286 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 2 Nays, 1 voting Present. Senate Bill 1286 having received the required constitutional majority is declared passed. Senator Barkhausen, 1287. On the Order of Senate Bills 3rd Reading, Senate Bill 1287. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1287.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 1287 creates the Consumer Deposit Security Act of 1987. This replaces a Statute dating back to the 1920's that's been on the books and it is felt to be outmoded because it was written at a time prior to the number of types of leases particularly automobiles that are prevalent today. It requires a ten thousand dollar security bond to be posted with the Attorney General or the...or escrow placement of security deposit incident to the leased consumer goods. It passed Senate Finance Committee unanimously. I would be happy to answer any questions and would otherwise urge a favorable roll call.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall Senate Bill 1287 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 1287 having received the required constitutional majority is declared passed. 1291. On the Order of Senate Bills 3rd Reading is Senate Bill 1291. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1291.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. 1291 deals with fire hydrants. I can assure you

this is not the small dog bill of...of the Session. The Illinois Fire Association came to me and suggested that there was a...a problem with fire hydrants in Illinois, that...apparently...apparently...apparently what was happening was that they need at least fourteen inches from the surface in order to hook up their hoses and apparently over the years,...from time...from time to time, they can't get their hoses under these fire hydrants in order to get the...and...and I don't really know of any opposition to this bill. So, it...it is a serious...it is a serious problem and I would ask for the support of the membership.

PRESIDENT:

Discussion? Senator Raica.

SENATOR RAICA:

Will the sponsor yield?

PRESIDENT:

Indicates he'll yield, Senator Raica.

SENATOR RAICA:

Senator Demuzio, have you checked these firefighters' hoses sizes?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

No, I haven't but I assume that they're much larger in the city than they are in downstate.

PRESIDENT:

Question is, shall Senate Bill 1291 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 1291 having received the required constitutional majority is declared passed. 1292. On the Order of Senate Bills 3rd Reading is Senate Bill 1292. Madam Secretary, read the bill, please.

SECRETARY:

Senate Bill 1292.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. What this bill does is to prioritize projects on state highways and provide for a...criteria such as daily traffic.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1292 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 26 Nays, none voting Present. Senate Bill 1292 having received the required constitutional majority is declared passed. 1319, Senator Lechowicz. On the Order of Senate Bills 3rd Reading is Senate Bill 1319. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1319.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The purpose of Senate Bill 1319 is to establish a uniform rate of compensation for election judges. Commissioner Hanson and Commissioner Torrell at the county board made this recommendation; in fact, Senator Macdonald had a bill similar to this in nature where it called for raising the rate of compensation from thirty-five to seventy-five

dollars. It was decided by the members of the county board in conjunction with anyone who has served and worked as far as an election judge realized that the...at that rate they were being paid approximately two dollars and twenty-five cents an hour. With the passage of this bill, 1319, the effective rate will be about six dollars and sixty cents an hour. Basically we're doing...and we also provided an opt-out provision; if the counties don't want to participate in it, they may opt out of this provision as far as counties of less than five hundred thousand. But in the County of Cook and other areas, primarily in northeastern Illinois, there's been some difficulty in recruiting people to serve as election judges. Hopefully, with the compensation that's offered in this bill of a hundred dollars an additional twenty-five dollars if you take the course and complete the course, that then would establish a fair rate of pay and hopefully we would have people willing to serve as election judges. That's the purpose of Senate Bill 1319. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I stand in strong support of this legislation. I commend Senator Lechowicz for taking the lead and pushing hard for it and finally recognizing the importance of election judges by giving them fair and adequate compensation for all the hard work that they do. Now the reason...in Chicago where some of the judges were handing out the wrong ballots, if you can recall way back then, shows we need well-trained, qualified judges. In order to get these judges we need to pay them for what they are worth. Last Saturday I had a breakfast with a hundred and fifty of my election judges and the most common statement that they gave me was that...their

disillusionment of the process for working so many hard...long and hard working hours on election day for so few dollars. And I think that they deserve the compensation in this bill and I urge all the members of my side of the aisle to join with me in supporting Senate Bill 1319.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

Yeah, thank you, Mr. President, Ladies and Gentlemen of the Senate. And, of course, I'm very sensitive to election judges, they do a great job. But downstate in DuPage County we pay forty-five dollars a day, and if they pass the test, they get another five so they get fifty a day. Now you're going to pay them a...you're doubling that? Well, I'm...I'm for a pay increase for election judges, I'm not sure I'm willing to say we ought to double their salary. I don't like the idea of us mandating them to do it, I'd rather leave it up to the...the county board of supervisors or the election commission to...to at least give them some flexibility because, of course, these are paid by...local people, by taxes collected in DuPage County, it's not coming out of the state coffers, but...we will be paying for that. I haven't heard from one downstate election commission or election jurisdiction as in favor of this bill. And to think of doubling it, to me...what have we ever doubled around here? Have you ever doubled anybody's salary here? Never. A little increase...would make some sense to me, but doubling it would appear to be, quite frankly, out of line and I think we ought to look at this one very closely.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Netsch. All right. Senator...Senator Lechowicz, on a point of order.

SENATOR LECHOWICZ:

Point of order. To the last speaker, my good friend, the

minority leader, please take a look at Amendment No. 2 which is adopted on Senate Bill 1319 which provides for an opt-out provision by the county board. That's my point of order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further...further discussion? Senator...Senator...Senator Philip.

SENATOR PHILIP:

The opt-out does not pertain to DuPage. It's for counties under five hundred thousand, so every county that...that is over that is stuck.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. I had one question of the sponsor, if I might, Mr. President. This does not have anything to do with the hours that the polls are open, does it, Senator Lechowicz?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

No, unfortunately, people still have to work fifteen hours a day.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

All right. I just...I...I know there were some proposals to do that and that has, of course, very different implications. I think the idea of...of authorizing the increase in salary is extremely important because we do desperately need good people in our polling places. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

I don't mean to prolong the debate but does the sponsor

yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he'll yield.

SENATOR BARKHAUSEN:

One...one of problems that I detect, Senator Lechowicz, and I'm sorry I haven't been on the committee and I'm, you know, not too familiar with the bill. But in addition to the compensation, I think as...as much of the problem in...in my area anyway is...is the long day. And...and I wondered whether you or any of the others involved with legislation dealing with election judges had ever given thought to the idea of authorizing judges just to work half a day. The idea that it might be easier to recruit more judges if they didn't have to put in such horrendous hours for such little pay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Basically, I don't know in your area, Senator Barkhausen, but in ours, we have a very difficult time finding people who are willing to work that day for the current salary. If you recall, there's an articles...there are articles in both...both major papers in Chicago...asking people to come in and fill the vacancies at the board of election commissioners. This is not only a phenomenon in the City of Chicago and suburban Cook as well. Maybe in certain areas in northeastern Illinois it is not a problem but anybody from Cook County realizes the fact that putting in a fifteen-hour day, their salary right now is averaging two dollars and thirty-three cents an hour. Under this bill as amended they would be compensated six dollars and sixty-six cents an hour based upon a twelve-hour day. But, unfortunately, they spend more hours than twelve...at the polling place, got to be there an hour before and then normally it takes an hour and a half to two hours after the polls close to complete the days

workload. So I think this is a...a good approach. I don't know of any studies right now as far as doubling or making it half a day. We're having a difficult time finding people that are willing to serve for the amount of time that they're required now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Just to...to the bill. I...I'll probably support the bill, Senator Lechowicz, although I am concerned about the lumping in DuPage with...with Cook. But I suspect and you have a...I would think a lot more political volunteers to draw on in your area than we do in ours, but I suspect the problem is less one of money than it is of the working hours. I think most of the people that are election judges do it out of a sense of civic duty than they do for the meager pay they get for the time they put in. And...and I would hope that when the bill gets to the House we would consider authorizing half a day which I think would more than double the pool of people that might willingly give of their time to...to perform this service.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise, of course, in strong support of this particular piece of legislation. When I was put back on the election commission the one request that I had most from the political leaders in my area was to please do something about the fee structure for the election judges. It is almost impossible for us to meet our requirements of recruiting election judges. And, Senator Barkhausen, I...I wish that we had all of those people who you speak of who...who feel that this is merely a civic duty, because they...they are disappearing and...almost evaporating,

they're just...almost not there. And the one thing that was felt would help was, of course, increasing their pay. While my bill was at a slightly lesser cost, certainly the leaders...the political leaders from my party in my part of Cook County certainly agreed to my going on this bill and...and even recommended that Senator Lechowicz's bill was probably a more realistic bill and that with that salary we probably would then be able to attract the election judges that we so desperately need. So I urge your consideration, and possibly in the House there could be an amendment put on this bill to make it not apply to DuPage as...as it has...it...it now stands with the rest of the state.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is really not to the bill, I guess, but I hear this discussion about elections and...and I'd simply like to say this. I think that in our part of the state the objection is much like Senator Barkhausen mentioned. It's not so much the pay as it is the terribly long day. And for those of you who are active in...in elections, I wish you'd consider what Barkhausen has just suggested, some kind of part-day activity or perhaps...an...an activity something like this where each election judge might be able to take say a two-hour break sometime during the day, and then everybody come back at night when they have to tally up. It seems to me that if we would add one new member, for example, to...each election...board of judges and allow them to take breaks that that might be something that we need throughout the state. I just want to throw that idea out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We got lots of lights on. Senator Topinka.

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END OF REEL

REEL 4

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I stand in support of this, though having a district that comprises roughly seventy percent west suburban Cook County and thirty percent DuPage County, I would hope, indeed, that we could follow up with maybe an amendment to extricate DuPage. But certainly from a standpoint of my Republican committeemen overtly and my Democratic committeemen friends who talk to me kind of in the shadows on occasion, they are all supportive of this because we just cannot get...election judges and it's strictly the money, and...and many of mine, for instance, are very elderly people and their civic duty which has now gone on for eighteen to twenty years is running a little loose. So, I do commend you on this. I...on the half-day provision, I would be concerned, because we have all we can do to get bodies to go a full day that are living and breathing and functioning, I just don't know how we could double that number. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

I'd like to move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Have two speakers who have sought...recognition for a second time. Senator DeAngelis moved the...previous question with the exception of those two. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senator Philip for a second time.

SENATOR PHILIP:

Yes, and I apologize, Mr. President. I've just

got...gotten a little motivated over here. I'm a working precinct committeeman. I work my precinct and I've got good judges. Quite frankly, the only time we really get our money worth out of our election judges is a presidential year, every four years, when you have an eighty or ninety percent voter turnout. They work their rear ends off. The rest of the elections, quite frankly, when a...township elections, municipal elections downstate, hey, they go home for lunch, they go home for dinner, there's thirty percent turnout, maybe thirty-five percent turnout, so...so, quite frankly, you ought to think about this, and I'll tell you, you're forcing it down our throat, we have seven hundred and forty precincts, multiply that by five, you're talking about big bucks.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR DUDYCZ:

Thank you, Mr. President. I apologize for standing a second time and rarely do I oppose my friend and leader, Senator Philip, but to Senator Philip's comments referring to DuPage being included in this legislation, I would like to add that I have been informed that the DuPage Board of Election Commissioners are in favor of this bill. We are not forcing this down your throats. Your...your very own board of election commissioners wants this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz may close.

SENATOR LECHOWICZ:

Well, Mr. President and Ladies and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...wait a minute,...Senator...Senator Joyce, the...previous question had been moved. Senator...Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I, for one,...if DuPage County does not have a problem with judges and the Republican leader of that county, who I have a lot of respect for, doesn't believe that the judges in his area deserve a rate increase, I'll be more than happy in the House to recommend that DuPage County be excluded from this bill; but I, for one,...Senator, firmly believe that we have a lot of people, dedicated people, who serve as election judges from both parties, and in my area, no matter what election there is, I try to encourage people to participate in their...in the last fifteen years where I've been the committeeman our participation as far as in our ward is never below sixty percent on any measure in a primary, and I am not one of the best but we're not too bad. The only way you can achieve that is active participation by many dedicated people and I, for one, would never criticize or say that if a judge of election has an opportunity to go home and get a bite to eat, they're not entitled to it, but in our...section of town, we provide the lunches and dinners as well, and I'm happy to do so. I would strongly recommend an Aye vote on this bill. It really deserves your support for a lot of dedicated people.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1319 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 14, none voting Present. Senate Bill 1319 having received the required constitutional majority is declared passed. Senator Philip, for what purpose do you arise? Senator Philip. You're standing in a point of personal privilege? Senator Philip. On the Order of Senate Bills 3rd Reading, Senate Bill 1354, Senator Welch. Mr...Madam Secretary, read the bill.

SECRETARY:

Senate Bill 1354.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. In 1983, Senate President Phil Rock together with Attorney General Neil Hartigan created the Toxic Waste Task Force. One of the outcomes of that task force was Public Act 831362 which created the crime of criminal...calculated criminal disposal of hazardous waste. After that law being in effect for a few years, the Attorney General has come back to this Legislature and asked for a change in the law. In particular, the name would be changed to Calculated Criminal Use of Hazardous Waste and it would be changed to include the treatment, transportation and storage of hazardous waste as well as disposal of that waste. The idea behind this is to...to increase the ability of the Attorney General and state's attorneys throughout the state to pursue and obtain convictions of those who are either using, storing or incorrectly treating hazardous waste and also those who may be...abandoning it. An amendment was put in the Floor to allow for fifty percent of the money to go to those agencies that pursue the violators. I'll be glad to try to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall Senate Bill 1354 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 5, none voting Present. Senate Bill 1354 having received the required constitutional majority is declared passed. Senate bills 3rd reading is Senate Bill 1355, Madam Secretary.

SECRETARY:

Senate Bill 1355.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The...a problem exists now in...in requiring a sentencing in the case of a minor...who is charged with what would have been a Class X but for it is still within the Juvenile Court Act. Current law allows a judge to give some type of a conditional discharge or supervision. This Act would require that if the charge being brought though under the Juvenile Act would have been a Class X had it been transferred, that they could no longer give supervision or any type of conditional discharge, that they must, in fact, have a...at least a five-year probation period rather than an adjudication of supervision or some type of discharge, so that they can no longer terminate that type of a probation or terminate a conditional discharge in less than five years. This would mandate a minimum of five years and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1355 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1355 having received the required constitutional majority is declared passed. Senate bills 3rd reading is Senate Bill 1359. Madam Secretary, read the bill.

SECRETARY:

Senate Bill 1359.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Thomas Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. This bill does exactly what it says in the Calendar and adds this as an aggravating factor in the death penalty.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall Senate Bill 1359 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, 1 voting Present. Senate Bill 1359 having received the required constitutional majority is declared passed. Senate bills 3rd reading, Senate Bill 1361, Madam Secretary.

SECRETARY:

Senate Bill 1361.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Thomas Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. 1361 authorizes the death penalty in a situation where an individual has murdered one individual and attempted to murder another but has failed to do so.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall Senate Bill 1361 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On

SB 1377  
3rd Reading

that question, the Ayes are 52, the Nays are 1, 6 voting Present. Senate Bill 1361 having received the required constitutional majority is declared passed. On the Order of...Senate Bills 3rd Reading...Senate Bill 1365, Madam Secretary. Read the bill.

SECRETARY:

Senate Bill 1365.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 1365 removes an inconsistency in the Criminal Code relating to the possession of a firearm or firearm ammunition by a felon. Apparently, right now, there is a place in the code where a...it is identified as a Class 3 felony and also elsewhere in the code a Class A misdemeanor. We are removing the Class A misdemeanor wording.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? Discussion? If not, the question is, shall Senate Bill 1365 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1365 having received the required constitutional majority is declared passed. Senate Bill 1376, Senator Jeremiah Joyce. Page 13, Senate Bill 1377, Senator Marovitz. On the Order of Senate Bills 3rd Reading, Senate Bill 1377, Madam Secretary.

SECRETARY:

Senate Bill 1377.

(Secretary reads title of bill)

3rd reading of the bill.

SB 1376  
3rd Reading

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. We've heard about this bill several times. This...this bill embodies what was Senate Bill 358, prohibits the state's attorney from issuing a subpoena to an attorney to appear before a grand jury without prior judicial approval if it's to seek information about the client. The court can issue the subpoena and will issue the subpoena regarding this...the attorney upon certain conditions being established, and I would solicit an Aye vote for this piece of legislation.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? If not, the question is, shall Senate Bill 1377 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. Senate Bill 1377 having received the required constitutional majority is declared passed. Senator Joyce, you want to take 1376? On the Order...let's back up to page 12, with leave of the Body. Madam Secretary, 1376. Read the bill, please.

SECRETARY:

Senate Bill 1376.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr....thank you, Mr. President and members of the Senate. Senate Bill 1376 comes to us at the request of the State's Attorney of Cook County. It makes it a violation

of the offense of criminal sexual assault for a teacher or a person standing in loco parentis to commit an act of sexual penetration with a victim under the age of eighteen. Criminal sexual assault is a Class 1 felony, teacher, person standing in loco parentis shall be treated as an accused...as current Illinois law treats an accused who is a family member. I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1376 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1376 having received the required constitutional majority is declared passed. Senator Severns, for what purpose do you arise?

SENATOR SEVERNS:

I would have voted in the affirmative on that bill. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the record will so...so indicate. Page 13. All right, we're going to skip 1383. 1384. Senate Bill 1384. On the Order of Senate Bills...3rd Reading is Senate Bill 1384, Madam Secretary.

SECRETARY:

Senate Bill 1384.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Thomas Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. This bill creates a planned commission for townships in excess of twelve thousand people and it excludes Cook and DuPage Counties and is part of the

task force original recommendations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the...question is,...Senator Lechowicz, on this one? The question is, shall Senate Bill 1384 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 3 voting Present. Senate Bill 1384 having received the required constitutional majority is declared passed. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President. I ask leave of the Body and I ask the President and the membership to rise and I'm sure you're all aware of the fact that there's a...a memorial service presently going on nationally to remember the lives that were lost on the USS Stark.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our members will please rise for a moment of silence. Thank you, Senator Lechowicz. Senate Bill 1386, Senator Zito. On the Order of Senate Bills 3rd Reading, Senator...Senate Bill 1386, Madam Secretary. Read the bill.

SECRETARY:

Senate Bill 1386.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 1386 is one in a series of bills that...were introduced by the Task Force on Township Government of which I had the proud privilege of serving as its chairman. I would like to publicly thank all the members throughout the

State of Illinois...township officials that helped put this package together. Senate Bill 1386 would allow the board of trustees of a township to levy a tax at a rate not to exceed .15 percent of the value of all taxable property for the youth services program. If you'll remember, there was some question as to the referendum impact, and although I tried to establish in the original legislation a referendum at an annual town meeting, it was felt by a number of individuals, including Senator Watson, that we needed to add a front-door referendum and so we've addressed that by Amendment No. 1. I think this is fair and sufficient. I think that the townships that want to continue to provide those youth services should be able to do so and we've...satisfied the concerns of a front-door referendum. I'll be happy to answer any questions, but I would move for its speedy passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1386 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 2, 1 voting Present. Senate Bill 1386 having received the required constitutional majority is declared passed. 1387, Senator Hall. On the Order of Senate Bills 3rd Reading is Senate Bill 1387, Madam Secretary.

SECRETARY:

Senate Bill 1387.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. 1387 amends the township law to increase the maximum

tax rate for senior citizens...services subject to the referendum. Now, there was an amendment put on at the suggestion of Senate Schaffer and Kustra and...so, with that, we...eliminated the township meeting and put on a front-door referendum. I'll ask for your most favorable support of this.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, discussion? I want to point out, we've got a hundred and twenty-five bills to go. Discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I've got a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Sponsor indicates he will yield. Senator Philip.

SENATOR PHILIP:

Yeah, my...my analysis says either a front-door referendum or a petition signed by ten percent of the township voters allowing a levy to be authorized at the town meeting. Is...is this the first time that we're letting people by petition increase a tax rate?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Hall.

SENATOR HALL:

There was an amendment put on by Senator Schaffer, Senator Watson and Senator Kustra that eliminated all that and just put on a straight front-door referendum.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Question is, shall Senate Bill 1387 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 4, 1 voting Present. Senate Bill 1387 having received the required con-

stitutional majority is declared passed. 1388. 1391, Senator Hall. On the Order of Senate Bills 3rd Reading is Senate Bill 1391.

SECRETARY:

Senate Bill 1391.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Yes, this is also one where there was an amendment put on, amends the township law for the general assistance tax. It raised it back...basic maximum township general assistance tax rate and it did away with the township meeting and put on a front-door referendum. I ask for...most favorable support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Just a quick thought here, Senator, and I would like to ask a question, if I might.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Right now, if we don't tax it to maximum in general assistance, we are not eligible for state help through Department of Public Aid. I believe that's correct. And if so, what happens now if we are at that .1 percent...or...or ten percent referendum, what happens now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

My understanding is this has no affect on this is because this only affects non-receiving townships.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Senator, is it...is the law now that when you reach the maximum tax rate or if you need additional money...I guess my question is, how does one become a...a township become a receiving township now? Is it when you go over the maximum tax rate or when you want to?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, Senator, I don't have the answer for that. I guess that we should research...research that. I...I don't seem to have that. I'll certainly get that information for you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Well, I guess my concern is, if...with this bill we are...or doubling the maximum tax rate...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

...then a township would not ever become a receiving township.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, the...my understanding is...safeguard for all this is a front-door referendum. There can nothing be done without a front-door referendum.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

I realize that, but that's...that isn't my concern. My

concern is, and maybe there's an ex-township supervisor around or township trustee. I mean, I used to be a township supervisor but we were never at our maximum rate, we weren't a...receiving township and I can't quite remember what the law is now on that, but it's something like when you...when you...when you reach the maximum tax rate in your GA levy, you become a...a receiving township, and if we're...if, even by referendum, we're doubling that, then a township could...I mean, it would not be the receiving...I mean, what would happen to all those receiving townships that are now...that are now receiving townships?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

My understanding it would have no affect on them because this only applies to non-receiving townships...and so, therefore, it would have no affect on those.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn, for what purpose do you arise?

SENATOR HALL:

I certainly checked...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait, Senator...

SENATOR HALL:

...and try to find out some...Senator Dunn, do you...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn, for what purpose do you arise?

SENATOR TOM DUNN:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR TOM DUNN:

Thank you, Mr. President. Behind me in the gallery is the Mokena High School group led by government teacher, Mr.

Quinn, and former mayor of Mokena. And also in the group, directly behind me, is Leigh Ann Albert who is an honor student and up in the gallery is Eric Tweetmeyer, an honor student, and I'd ask that you welcome them please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery...please rise and be recognized by the Senate. All right, further discussion? Senator Karpziel, have you...had you concluded? Senator Karpziel.

SENATOR KARPIEL:

Well, I guess I've concluded but...I'm still confused. I think it is when a...when a township reaches a maximum rate, which I think is ten percent on the...it becomes a receiving township and there are several receiving townships I know in Cook County and downstate, and I'm just confused as to...if there...and...and if Senator Hall says it would not affect them because they're receiving townships, but what if you're a township that's pretty close to your max now? Do they have to...I mean, they could become receiving townships, I don't know why we're doing this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, what...what we'll do, Senator Karpziel, when this bill gets over to the House, we'll certainly check it and I'll get back to you. If such...if it needs an amendment, we'd certainly see that it's put on over there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Smith.

SENATOR SMITH:

Mr. President, I stand on a point of personal privilege, please. I'd like to acknowledge the presence of Mrs. Geraldine Bowie and her friend from Chicago. They're constituents of mine. Would you please welcome them. In the

AB 1400  
3rd Reading

President's Gallery. Please stand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Please stand. Welcome to Springfield. Senator Hall may...Senator...further discussion? If not, Senator Hall may close. Senator Hall.

SENATOR HALL:

Well, that...I assure all of you and, Senator Karpel, we'll certainly check that. We'll see...if it needs that amendment, we'll certainly see that that gets in the House and I'll also do some checking today to find out an answer to your...I move...ask for your most favorable support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1391 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 9, 9...on that question, the Ayes are 44, the Nays are 9, 5 voting Present. Senate Bill 1391 having received the required constitutional majority is declared passed. 1400, Senator Severns. 3rd...Senate Bills 3rd Reading, Senate Bill 1400, Madam Secretary.

SECRETARY:

Senate Bill 1400.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1400 is an attempt to wake up the state bureaucrats to say that we should buy in Illinois and USA first before we so casually purchase foreign goods and commodities with our state tax dollars. We need to be sensi-

tive to Illinois small businesses and industries and we need to send that message to CMS. Senate Bill 1400 does just that. It is a reasonable bill. It is a fair bill. The amendments added to Senate Bill 1400 took into consideration the expense to local governments by exempting them as well as the concerns of one the...one of our state's largest manufacturers. Fifty percent US content is a fair benchmark considering the state of the global economy. The times test us. We must respond to the challenge. We want to keep the small and medium-sized manufacturing jobs in our state and one big way we can do that is to commit Illinois tax dollars to Illinois businesses before we spend tax dollars on foreign products that endanger Illinois jobs. I urge your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I rise in opposition to this bill and the reason is this. When we first heard the bill in committee, and this comes out of the Senate Labor and Commerce Committee, at first blush the bill seemed to have some merit, although there were some of us at that time that had reservations about it. It is couched in a...well, a kind of a patriotic approach I suppose in a way, one designed to...protect the interest of the United States and the State of Illinois in particular, but the problem with the bill is that as time has gone on and questions have been raised and those companies that would be affected have raised questions, the complexities of attempting to work out and to put into legislative form something that will do what the sponsor is trying to do, the complexities of doing this seem to outweigh the merits that some felt the bill had originally. Now, there will be questions in addition to my general statement here, but I wanted to make that and that's all I will do at

this point, make the general statement that I think we better think long and hard before we embark on the path that's being proposed to us here today. So, I would urge your very, very careful consideration and a No vote on the measure for reasons that I think will be more clearly brought out in the next few minutes.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well,...further discussion? There's a lot of lights on. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Severns, you have already distinguished yourself on the Floor of this Chamber with a number of bills this spring and...and very good bills, I might add. This one here really...really surprises me coming from you...and I...I really need to find out exactly where we're going here. First of all, could you describe...we are talking, I...I suspect...I think about companies...whose...who total production amounts to at least fifty percent...fifty percent manufactured in the United States. Is that not correct?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Thank you, Senator Maitland. We are talking about the cost of production and that's where the fifty percent content came. Quite specifically,...we worked this language out with representative of Caterpillar.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

I...I don't understand your answer. I...what do you mean by the cost...the total value of their...of their total production needs to be at least fifty percent produced in this country. Is that correct?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Specifically, fifty percent US content means that at least one-half the material and labor costs of a particular unit...I mean, one-half material and labor costs will be incurred in the United States.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator, are you aware of the Diamond-Star Motor Company that's...that's being built now in the Bloomington-Normal area?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

I'm very much aware of the two hundred and 76.1 million dollars that was put into incentives to bring that industry to the state, yes.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Not exactly my question but I understand that you do know about it. Do you have any idea of the percent or the total value of the ultimate product of...of Diamond-Star that will be produced in the United States?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Thank you, Senator Maitland. Since it is a joint venture with the US company, Chrysler, there's no doubt that half the cost would be here in the United States.

PRESIDENT:

Senator...Senator Maitland.

SENATOR MAITLAND:

Well, Senator, let me...let me tell you that...that much...much of the value of that...of that automobile is going to be produced in...in Japan. Those products are being shipped over here, there are some final parts, there are some...some components that aren't completely finalized, but the fact of the matter is, that's just one example...that's just one example of the looseness of...of this bill and the absolute confusion it's going to cause as CMS goes out and attempts to purchase these products. It...it really, in my judgment, is...is unworkable. Let me carry it one step farther, Senator, okay? You come from an agricultural area as I do. This is a protectionist...a protectionist measure without question. You and I from our districts export just literally millions of dollars of farm products. It's extremely important to our district. As we continue to move forward with protectionist measures like this that aren't going to help labor or anybody in this state, we're simply going to destroy the economy, an economy we're trying to build; and I would...again, I'm shocked that you're introducing this bill, first of all, but more importantly, I would urge the Body to take a very careful look at what we're doing here. We are a homogenous society today and we all work together, we need one another. This breaks down that unity and I would urge support...urge defeat of Senate Bill 1400.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

It's funny, sometimes we...we very intentionally weave a web and...and we think we're the spiders and we end up being the flies when the...we finally get through weaving it, we're caught in it and I...and I'm wondering if we aren't facing that kind of a situation right now. Basically, this would require CMS to find out who owns every company, what percent-

age of their property...or their production is foreign and domestic. I happen to have a company in my district that does some business with the state...the supplier and I have a friend who works there and he...in the discussions mentioned to me he was quite surprised to find out about a year and a half after the fact that the home corporate body that had acquired his company many years ago had in turn been purchased by a foreign firm and that he was now, in effect, working for a company that was foreign owned and he went a year and a half, he's a principal officer of the firm, did not know that. Now,...may be unusual but when a...a firm that has a New York address buys a firm in Illinois, the...the rank and file management perhaps don't know who owns that company in...in New York and it...it may be Saudi Arabia or England or what have you. How...how is CMS going to trace the ownership through the multiple layers of corporate gobbledygook that we seem so fond of here in this country?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Thank you, Senator Schaffer. What...first of all, I'm convinced that all of our manufacturers can determine both their raw material and labor costs, that's really what we're talking about here, but more importantly, we're talking about the intent and the message that needs to be sent to CMS. Only a couple of days ago it was Senator DeAngelis who...who said, and I think so well, that there are two kind of bills in the Legislature, one that is technical and one that sends a message. This is a bill that sends a message. Allowing foreign producers to continue to win domestic markets has helped displace 1.1 million workers since 1980. All we're suggesting is that our state bureaucracies first attempt to buy in Illinois and in America before we so casually go out

and purchase foreign commodities and goods.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, getting back to my question,...by the way, there's another technique not too dissimilar from this piece of legislation if we're sending a message, it's called a press release. I'd be happy to put my name on one if that's what you really want to do to tell CMS that we, in the Legislature, think they ought to buy Illinois and US products first. Again, I do not understand how CMS is going to have the...power to go through the...the corporate veils that my legal friends are so fond of protecting to find out exactly who owns what, and I...and I didn't hear an answer. I have another concern. I happen to have a large Chrysler plant in my district and...across the line, not far from my district, there was an AMC plant and we, at one time, had a lot of AMC cars in this state. I didn't think a whole lot of them, but we owned a lot of them, the state bought a lot of them on some bid process. Suddenly, AMC because of a shift in management decision went from being an American country...company to basically being a Canadian company; and I can see a situation where you might be...have a...a major investment in...in computer software, automobiles,...I don't know, dry cleaning equipment in our...our mental health facilities and suddenly, the company through some corporate takeover is now a foreign company and, yet, we have to buy replacement parts because we have seven big, huge commercial dryers and we want to stay with the same kind of machine rather than have twelve different kinds of machines, you know, I don't know how you expect CMS to...to keep track of all that and do it in a meaningful way. The other thing which kind of bothers me, I...I mentioned a firm...an Illinois firm producing Illinois products with Illinois laborers that is

foreign owned. Its principal competitor is down, I think, in Arkansas. I think that's a right-to-work state. With the passage of this bill, they won't be able to compete because they're already kind of against it because the right-to-work state pays less wages. You're...you're literally driving Illinois jobs out of this state if you give them this kind of edge simply because the...the...the company twice removed is owned in Canada, and by the way, I'm not that mad at the Canadians. I just...I just see some real pitfalls here.

PRESIDENT:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I'd like to rise in support of this legislation and thank the sponsor for bringing such good legislation. I once had good companies in my district such as Southwork Steel, Wisconsin Steel and CMS could not tell the difference so they bought steel from South Africa to build the State of Illinois Building. Now there is no Southworks anymore. Those employees are in unemployment lines and in welfare...on welfare now. Wisconsin Steel closed up without even telling the people that they were going to close the door. So, Penny, I...I...I congratulate you for bringing such legislation. I think that legislation of this kind will help companies in Illinois, will help employment in Illinois, and, yes, I think messages must be sent and strong messages, but this bill can work, it can provide jobs and it can keep people working here in Illinois and...and cut our tax base and help support Illinois workers. Thank you for bringing good legislation like this and I'd like to become a hyphenated cosponsor of this bill, Mr. President.

PRESIDENT:

Gentleman seeks leave to be added as a hyphenated cosponsor on Senate Bill 1400. Without objection, leave is

granted...further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. Mr. President, I rise in support of this bill. I don't think that there's anything wrong in asking our own State Government to look first to Illinois and to other states in this country that sell American products to fulfill our needs here in the State of Illinois. Whenever we approach this question, we always hear protectionism brought up, and, gosh, that's...that's a concern of everybody's but...but let me tell you what protectionism is. The Japanese understand protectionism. Beef in Japan is twenty-seven dollars and fifty cents a pound now because their doors are closed to American beef products. I attended the Illinois Pork Producers Convention not long ago and listened to the president of that convention tell us how the pork industry is being ruined in the northern states of this country because the Canadians are flooding those markets with Canadian subsidized pork. We don't close the doors to the Canadians. We take all the Canadian pork and all the Argentinean beef and all the Japanese cars. Those countries understand protectionism. This isn't protectionism. This is simply asking, look first at American products, that's all, and I think that's commendable and I think that's okay and I support that kind of legislation.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

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

PRESIDENT:

Indicates she will yield, Senator Kustra.

SENATOR KUSTRA:

Thank you. Senator Severns, you caught me at an interesting time, I've been shopping for cars and in doing my shopping, I'm...I'm more confused all the time because I find

it so difficult to determine what is an American car and what isn't these days. Did I hear you say that your bill applies to units or to firms who manufacture fifty percent...and it's not the content of the unit but over fifty percent American over the whole firm. Is that correct?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Thank you, Senator Kustra. We're talking about the end product, the entire product line, the cost, that that cost...be it between the raw material and the labor be fifty percent US content.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Well, I...I guess what we have to do then is define product line. How...how would that affect one particular car...I'm thinking of the Dodge Colt versus the Volkswagon Golf. Is that one produce line or is there...is that a series of...of lines?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

The entire line in that kind of instance is what we'd be talking about here.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Well, let me tell you what my problem is and you'll...you can decide whether you think you have a problem with the bill. I think you've got a problem and it's...it's this. The...the Colt, for example, is manufactured in Japan and that's got to have overwhelming content Japanese material and labor. No question about it. I don't think anybody

would...would differ with that. The Volkswagon Golf, on the other hand, is made in Pennsylvania and at least seventy-five percent of that must be materials and labor from Pennsylvania. Now, under your bill, you're going to give a...a ten percent advantage to Dodge, which is okay, that's a good American firm 'cause they make mostly American products...but the Colt is manufactured in Japan. On the other hand, you're going to deny that to Volkswagon and they're making the Golf in Pennsylvania, so you end up penalizing American labor in Pennsylvania, and I...I don't understand how that fits into your scheme of what you're trying to do is reward American laborers and...and penalize foreign laborers.

PRESIDENT:

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Let me try to be brief and point out that I don't make any bones about attempting to be a protectionist for Illinois or US companies, and I want to point out to many of the speakers that spoke against Senator Severns' bill that you joined me a couple of years ago in supporting a protectionist measure that dealt with the industry that we all know as ethanol and corn, where, in fact, you all supported a bill that prevented the sales tax exemption in the State of Illinois from applying to ethanol that was not created by corn, basically shutting out the Brazilian ethanol from coming into this state because it's made from sugar cane. So, all I would like to point out to you is that we're on record as attempting to protect one, two or three industries in this state. Let's give Senator Severns a chance. If, in fact, something has to be worked out in the House, maybe that can be done with some amendments for a sunset provision or whatever, but we have, in fact, supported protectionist Legislature...legislation here in the last two years, and for those of you that helped me and yourself and

our farmers in the last two years, let's try to do the same for Senator Severns. Thank you.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you. I would just...I just wonder how many...Mr. President, I just wonder how many people in the Japanese Government drive American cars.

PRESIDENT:

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

SENATOR SEVERNS:

Thank you, Mr. President and members of the Chamber. I think there's been some confusion expressed here in this Chamber today and I guess I'll only conclude that if the largest employer of Illinois, Caterpillar, can live with the language that's been suggested in these amendments, I think every Illinois manufacturer can live with the language and I would urge a favorable vote. Thank you.

PRESIDENT:

Question is, shall Senate Bill 1400 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Ayes, 15 Nays, 6 voting Present. Senate Bill 1400 having received the required constitutional majority is declared passed. 1405, Senator Marovitz. On the Order of Senate Bills 3rd Reading is Senate Bill 1405. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1405.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR HAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 1405 makes battery against a prosecutor an aggravated battery. Prosecutors include state's attorneys, assistant state's attorneys, Attorney Generals, corporation counsels. It...it does so if the individual knows the individual harmed to be a prosecutor and it is as a result of the prosecutor's past or current performance in his or her official duties. I ask for your favorable roll call.

PRESIDENT:

Discussion? Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank...thank you, Mr. President. I'm going to support this bill, Senator, but I...I think we need to take a long, hard look at aggravated battery and the penalties and how we can better deter, perhaps, simple battery rather than turning everything into aggravated battery.

PRESIDENT:

Question is, shall Senate Bill 1405 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 1405 having received the required constitutional majority is declared passed. 1407. On the Order of Senate Bills 3rd Reading is...Senate Bill 1407, Madam Secretary, read the bill, please.

SECRETARY:

Senate Bill 1407.

{Secretary reads title of bill}

3rd reading of the bill.

PRESIDENT:

Senator Zito.

*SB 1416  
3rd Reading*

SENATOR ZITO:

Thank you, Mr. President and members. Senate Bill 1407 creates the...offenses of cannabis trafficking and controlled substance trafficking. This bill was initiated by State's Attorney Dailey of Cook County and it was designed really to attack the incidence of drugs brought in from foreign countries. In committee, Senator Hawkinson had some suggestions and we attached those suggestions on in Amendment No. 1. I think the bill now is something we can all live with and I would ask for your unanimous approval.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall Senate Bill 1407 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 1407 having received the required constitutional majority is declared passed. 1416. On the Order of Senate Bills 3rd Reading, the bottom of page 13, is Senate Bill 1416. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1416.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Presently, state chartered banks may do any act and own assets which national banks are permitted to do by Federal law. This bill simply extends that power to include national bank holding companies. The bill was introduced at the request of the Illinois Banker's Association. The Commissioner of Bank's has problems with the

bill. It is a vehicle bill of sorts. It's a one-wheeler subject to severe wobbling and we may never see it again.

PRESIDENT:

Fair enough. Any discussion? If not, the question is, shall Senate Bill 1416 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 1 Nay, 1 voting Present. Senate Bill 1416 having received the required constitutional majority is declared passed. Senator Jones, for what purpose do you arise, sir?

SENATOR JONES:

Yeah, thank you, Mr. President. A point of personal privilege. I'd like to recognize the eighth grade students from Brennan Elementary School, along with their teacher, Martin Jones, and many PTA members, and I'd also like for the Body to know they sent me a bag of letters encouraging me to bring back as much money as possible for the education of the children and I'd like to recognize them.

PRESIDENT:

Will our guests in the gallery please stand and be recognized. Welcome to Springfield. Senator Savickas, 1417. On the Order of Senate Bills 3rd Reading, the bottom of page 13, is Senate Bill 1417. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1417.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Senate Bill 1417 was introduced to clarify a question on what the law is already on intrastate and interstate. It would ensure that

the ICC has jurisdiction of all rail movement within the state unless preempted by Federal Statute, law or rule. This was requested by the United Transportations Union...Worker's Union because the recent Federal court case questions whether our law does this and Mr. Bernie Morris in the ICC thinks that we already do this and that we follow this procedure. That's just a question of whether they think it is or it should be in and the...United Transportation Worker's Union thought that it be best to clarify it and put that...just adds intrastate and interstate. I would move its passage.

PRESIDENT:

All right, Senator Savickas has moved the passage of Senate Bill 1417. Discussion? Senator Watson.

SENATOR WATSON:

Yes, Mr. President, thank you. Just for a comment. This passed out on a partisan roll call and we have talked to Bernie Morris also and he's a highly respected man out at the Commerce Commission and he does feel that this is unnecessary and really no need for this and this is probably a vehicle of some sort. So, I would suggest another No vote. Thank you.

PRESIDENT:

Further discussion? Senator Savickas, you may close.

SENATOR SAVICKAS:

Well, I guess any bill can be considered a vehicle. It was put in at the request of the United Transportation Worker's Union. They feel that to prevent any further legal questions as was in a recent Federal court case...obviously, if they're going to court in a Federal court case, there must be a question whether it's needed or not and...I think that this will clarify it and would prevent any legal cost that we should do it. I would move its passage.

PRESIDENT:

Question is, shall Senate Bill 1417 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have

SB 1421  
3rd Reading

all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 42 Ayes, 12 Nays, 1 voting Present. Senate Bill 1417 having received the required constitutional majority is declared passed. Top of page 14, Senator Rigney, on the Order of Senate Bills 3rd Reading is Senate Bill 1421. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1421.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Yes, Mr. President, the subject here is bed and breakfast. This is basically kind of a new and emerging industry here in the State of Illinois. It usually is being developed in areas of elegant and historic old homes or else in farming areas. The question is, why does the industry want the bill? Well, if there is no bill, those folks who are in this type of an industry are probably going to have to meet the...the requirements and standards of the hotel and restaurant industry. It would mean, for instance, that they could not, for instance, use the home dishwasher to do the dishes. They'd have to have separate laundry facilities to do the laundry. The fire marshal would probably require them to board up the stairways of some of these elegant, old homes. I think it would destroy the character of them. The industry is getting along today, I think, basically, because these state agencies have kind of turned their back thus far and have ignored what is going on out there. The legislation provides that these are very limited operations, no more than five guest rooms, no more than two per room, they may only serve breakfast and only to those people who are their

guests, it provides the minimum health and safety standards. I want to assure you the legislation was developed by our Department of Commerce and Community Affairs and it did have a very, very major input from the people who are currently within the industry.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall Senate Bill 1421 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, 2 voting Present. Senate Bill 1421 having received the required constitutional majority is declared passed. 1422. On the Order of Senate Bills 3rd reading is Senate Bill 1422. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1422.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I think the bill is pretty self-explanatory in the Calendar. The only thing I would like to add is this bill came to be by a student and I just thought I'd put it in and then I got to thinking about this, it started to run into some opposition it appeared from both sides, and I got to thinking, you know, that's a little strange and, for that reason, I decided not to pull it and really want to push for this thing and I...really asked for a favorable vote because for whatever reason...the only person involved in these negotiations and it's only for the...the...auspices of...of being in on the...the negotiations, the only one who has a financial interest is the

student, and for whatever reason, they choose not to even allow that person in...in the building, so to speak. Also, I think that the City Chicago showed...showed the lead in this case. The City of Chicago has appointed to their high school...to their high school board a student and I ask for a favorable consideration of this...vote.

PRESIDENT:

Discussion? Any discussion? Senator Philip.

SENATOR PHILIP:

...this is one of the...the worst bills I've seen this Session. You're going to let these kids come in and listen to the negotiations between labor and management, walk out of the meeting, go over to the press and have a press conference and blab the whole damned thing. I can see why the unions wouldn't be for it and we ought to look at this one very closely.

PRESIDENT:

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

SENATOR JACOBS:

Yes, first of all, I'd like to respond to Senator Philip. I don't think that that's the case. They're going to be sworn by the same rules and regulations that everyone else has, and I think I just want to reiterate that the student is the one that has the financial consideration and I think that he should...he or she should at least be able to sit in on those negotiations and give input, and for that reason, I urge all my Democratic members to give me an Aye vote.

PRESIDENT:

I'm sorry, Senator Kelly, on this? Senator Jacobs was trying to close. Okay. Question is, shall Senate Bill 1422 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

question, there are 32 Ayes, 26 Nays, none voting Present. Senate Bill 1422 having received the required constitutional majority is declared passed. Senator Kelly, for what purpose do you arise, sir?

SENATOR KELLY:

Yes, Mr. President, I rise on a point of personal privilege.

PRESIDENT:

State your point.

SENATOR KELLY:

I'd like to extend our best wishes on behalf of the Illinois Senate to the Newman Haus racing team who is representing the State of Illinois, the only team from Illinois in the Indianapolis 500. We happen to have a fellow by the name of Mario Andretti driving for us. We're in the...we are the favorites in the race. We've got the number one poll position and I just know that we all are very happy and wish them a lot of success.

PRESIDENT:

Senator Welch, 1426. On the Order of Senate Bills 3rd Reading is Senate Bill 1426. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1426.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Senate Bill 1426, unfortunately, is not complete. Negotiations are still going on between the EPA, the fire marshal, petroleum council and other parties involved; however, I know of no opposition to moving this bill to the House while those negotiations continue. The basic purpose of the bill, of course, is to get

the Pollution Control Board to adopt regulations and have the EPA enforce them requiring registration of underground gasoline and other storage tanks. There is an exemption that everybody is agreed to for agriculture and residential tanks at eleven hundred gallons. But, at this point, there are still questions as to the funding and grandfather clauses. So, I'd ask that this be passed out with the understanding that it's still not in its final form.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1426 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, 4 Nays, 6 voting Present. Senate Bill 1426 having received the required constitutional majority is declared passed. 1436. On the Order of Senate Bills 3rd Reading is Senate Bill 1436, Madam Secretary.

SECRETARY:

Senate Bill 1436.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 1436 as amended creates the offense of money laundering and makes that a Class 3 felony punishable by two to five years and a ten thousand dollar fine. I believe the concerns expressed in the committee by the State Bar Association and Senator Barkhausen have been removed with the addition of Amendment No. 1 which clearly takes the lawyer's...client-attorney privilege out of the bill, also establishes intent and includes the Illinois Controlled Substances Act or Cannabis

Control Act. Be happy to answer any questions.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1436 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 1436 having received the required constitutional majority is declared passed. 1443. On the Order of Senate Bills 3rd Reading, Senate Bill 1443. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1443.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 1443 as amended creates the offenses of solicitation for murder and solicitation for...of murder for hire and establishes the following penalties. Solicitation for murder, fifteen to thirty years, no probation. Currently, that is a Class X, six to thirty, no probation. Solicitation for murder for hire, twenty to forty, no probation. Currently, that is Class X also, six to thirty, no probation. In addition, Senate Bill 1443 as amended establishes a scale of enhanced penalties for possession and possession with intent to distribute heroin, cocaine, LSD and morphine. These levels are ten to four hundred grams of those substances under the possession, six to thirty; four hundred to nine hundred grams, eight to forty; nine hundred plus grams, ten to fifty. Under possession with intent to distribute, one hundred to four hundred grams, nine to forty; four hundred to nine hundred grams, twelve to

fifty; nine hundred and above, fifteen to sixty. They are probationable offenses. Be happy to answer any questions.

PRESIDENT:

Any discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. At this point, I...I sort of miss Senator Sangmeister...you know, I understand what you're trying to do but our prisons are...people are falling out the windows now. If we keep doing this this Session again, where are we going to put all these people? I...I mean, the last three or four bills that we've had now that's talked about criminal things, well, you know, we're...we're just increasing penalties, we're going to put guys away for forty years...if you remember a couple of years ago, your side of the aisle, Senator Sangmeister said, let's stop doing this and start looking at what we're doing 'cause you're mandating these...these sentences.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, I mean, I understand your...your concerns, Senator Fawell, but let's talk about who we're putting away. We're...we're talking about putting away people who...are dealing the largest amount of drugs, not...not small amounts here, but people who are doing a hundred grams, four hundred grams, nine hundred grams of hard drugs, that's who we're talking about. Not the little guy on the street. We're talking about the guy that's ripping off the kids in the schools and selling it and selling the poison and getting these kids addicted to drugs. That's really who we're talking about and...and I'm sensitive to what you're saying too because I think that we really need to take a hard look at these penalties and that's why we...we said that we were only going to do this for the largest amount of hard drugs,

the guys who are really the bigwigs, not the little peddlers and that's who we're going after with this bill and...and that's why I stand in support of it.

PRESIDENT:

Further discussion? Senator Degnan may close.

SENATOR DEGNAN:

Thank you, and thank you, Senator Harovitz. I...I agree. I think the intent of this legislation is pretty clear that we are establishing penalties for amounts of these products, hundred grams and above; I mean, people who have a hundred grams or above in their possession don't have it to fill their blackjacks. This is clearly a major drug dealers bill and I would urge your support.

PRESIDENT:

Question is, shall Senate Bill 1443 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 1443 having received the required constitutional majority is declared passed. 1448. On the Order of Senate Bills 3rd Reading, Senate Bill 1448. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1448.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Senate Bill 1448 is a Construction Crane and Hoisting Licensing Act. It was...introduced for the purpose of ensuring a qualified operator of cranes and hoists. We're talking about constructions and cranes and hoists that run anywhere up to two and

three hundred feet high, that are tower cranes operating off buildings. A crane is a very sophisticated and complex tool and it has the ability to perform many varied tasks, and probably because of its design and nature, and that's mainly its use to defy the law of gravity, we're talking about a very potential devastating weapon when it's improperly used or maintained. This licensure Act ensures that those...persons that are operating these pieces of equipment are qualified, no load ratios, wind ratios, lift ratios, can compute...the differences with the wind...with the loads and make proper lifts. Four other states already have a license law, Massachusetts, Connecticut, New York, Montana; Wisconsin is contemplating one, there is a movement in California. In New York, recently, under their licensing Act, there was a foreman on the job that persuaded an unlicensed operator to operate the crane, lifted the crane, the crane tipped with the load, the unfortunate...part of it was that when the crane tipped with the load, the load went into the street, cut off the legs of a woman, the foreman was sent to prison and the operator, I guess, was fined or is facing prison. These are the unfortunate things when people who are not capable operate this type of equipment. There was a concern by the laborers. We, I think, effectively removed all of their concerns. We addressed and did what they asked us to do and put into the bill and that was the removal, by name, forklifts and bobcats. We had a...a concern with the farmers. The farmers are eliminated on all farm equipment and operations. The mining areas, the coal miners were satisfied that they are effectively removed from this type of licensing and the rail carriers. I think in this bill we are addressing the concern that it was expected to...that we wanted to do and expect to do and that's to address the concern of those high-rise crane operations that have the potential for disaster. We have letters of recommendation from the

LaGrange Crane Rental Service, Gus Newburg Construction Company, Imperial Crane Service, J.A. Jones Construction Company, T. C. C. Construction Company which indicate...in the letters they indicate that not only would this be a safety measure but would reduce the costs in their operations through the reduction of costs on insurance liability. I would...I would seek your approval of this legislation at this time.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I guess this group meets the criteria for licensure in Illinois, they move. Here we go licensing another group and I...I guess I'm just a suburban-rural dweller, but I haven't been apprised of any great need or hue and cry or problems within the state, although I'm obviously familiar with the situation in New York...I'd be a little surprised if the fellow who was operating that crane probably couldn't have met the criteria under this bill and been grandfathered in and would have had a license anyway. I think we ought to think about this for several reasons, but I have a couple of questions of the sponsor on this one. I know, with interest, that you have to be eighteen years old. I guess that's acceptable. It sort of discriminates against the teenagers though, but the next line kind of intrigues me. It says that you have to be of good...moral character and temperate habits. Now, I think we ought to have some legislative intent on just exactly what we mean by good...moral character and temperate habits. Was this...would this invalidate anyone who had perhaps a DUI or a drug conviction from ever getting a license? If one of these operators happened to be living with a member of the opposite sex without sanction of marriage, heaven forbid, I know no crane operator I've ever met would consider that, but let's just say that some-

where...somewhere in this great state there is a person so depraved that operates a crane that might conduct him or herself, obviously, some of these crane operators could, in fact, be women, that they might not meet our high standards here. Let's have a little legislative intent here. What about these questions, Senator, and I have one other question.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, I know Senator Schaffer is chaffing at the bit on licensing legislation. The bill in its second amended form removed his objections to the moral standards and allows his philosophy of our lifestyle to prevail. Now...now, any of Senator Schaffer's constituents who are immoral can easily obtain this type of license.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Just a second, I'm checking on the moral standards of my constituency. Just a second. I'm not...I'm not sure I follow that amendment, but I...I'm more than willing to take your word for it. I would also point out to the membership that this organization has not met one of the other normal requirements for licensure by this General Assembly. To the best of my knowledge, they have not thrown a reception in Springfield, but I understand other steps have been taken, so perhaps that requirement can be waived.

PRESIDENT:

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

...Mr. President and members of the Senate, I rise in support of this...this piece of legislation having owned some of this type equipment and the purpose of this legislation is

for safety. Many people work underneath of these cranes when they're hoisting and...and things of this nature and I think the intent of the...of the legislation is...is to be sure that they're qualified people that...that are operating these machines.

PRESIDENT:

Further discussion? Senator del Valle.

SENATOR del VALLE:

Point of personal privilege, Mr. President.

PRESIDENT:

State your point, sir.

SENATOR del VALLE:

I'd like to welcome to Springfield the Pulaski School in the gallery.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Well, thank you, Mr. President. I rise in strong opposition to this bill. You know, fact of the matter is, there is no human outcry in Illinois...I don't see any...I haven't heard of anybody being hurt by crane operators in Illinois. You know, the accidents that happen in these huge construction sites usually happen to the construction workers that are on the sites. Those are the guys that are injured and...and some of them are killed and...on these construction sites, so it's...it's not the public. It...you know, don't get the idea that there's some grievous wrong...don't get the idea...don't get any idea, really, I mean...don't get the idea that there's some grievous wrong that's being corrected here and that the public safety is involved and we're protecting the public against this great harm that's being done to them by these hoisting engineers. You know, that's all

baloney, you and I know that. This is a jurisdictional fight between the laborers and the hoisting engineers. Okay? It's a fight over power. That's what it's about and I say to you, don't get involved in this fight. It's not our fight. Let's stay out of it.

PRESIDENT:

Further discussion? Further discussion? Senator Topinka.

END OF REEL

REEL 05

SENATOR TOPINKA:

Yes, a point of personal privilege, if I may.

PRESIDENT:

State...state your point.

SENATOR TOPINKA:

Standing next to me is State Representative Ginger Barr and she spells her name incorrectly with two R's as opposed to two A's, the way I spell mine, but she is in the Kansas Legislature and she's visiting her family from Decatur and since we share the same name, I thought we should all welcome her back to Illinois.

PRESIDENT:

Well, welcome. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is really a jurisdictional problem and if we're going to start having every union come to this General Assembly and put in legislation which they can't really win with the people by a vote of the respective unions, this is just a start of many, many other problems that we're going to be addressing in this General Assembly. It does not belong here. If there is a problem between the unions, that should be decided by the people who...which union they want representing them, not here, not saying that we have to have an additional licensing procedure when one is not needed. If they need this type of legislation, it should be done through the labor negotiating process within the respective unions. I'm going to be voting No and I would hope that somebody in this General Assembly would start considering the fact of what we're doing here and I think you should be voting No as

well.

PRESIDENT:

All right, any further discussion? Further discussion?  
Senator Savickas may close.

SENATOR SAVICKAS:

Well, I don't want to leave the impression that this is a jurisdictional dispute. First of all, there are no laborers at this present day and age in any state in this country that are allowed to operate these tower cranes. It's silly to say it's the...jurisdictional dispute. Operators of any of these pieces of equipment belong to operating engineers or hoisting engineer unions now. No laborer is allowed on these things. Obviously, there may be jurisdictional disputes in other areas and on other types of...construction or labor orientated fields. Operating a crane is not one of them. Obviously, some people that have these concerns aren't versed in what this legislation does. I would move its adoption.

PRESIDENT:

Question is, shall Senate Bill 1448 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Ayes, 17 Nays, 2 voting Present. Senate Bill 1448 having received the required constitutional majority is declared passed. 1452, Senator Woodyard. On the Order of Senate Bills 3rd Reading, the middle of page 14, is Senate Bill 1452. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1452.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. Senate Bill 1452 creates the Ag. Diversification Act. This bill started, I guess you might say, back in November or December when an application was submitted to the Federal Government to capture funds from FHA under a new program initiated by the Federal Government for a stimulation of the rural economy. That blended with state funds...would create this ag. diversification funding which would allow certainly...grants and loans in...in the agricultural community. The...Department of Commerce and Community Affairs is the only agency and they are the people who must administer this program. We would be capturing approximately 4.3 million dollars from the Federal Government and matching that with a...with approximately two million dollars of state funds. I will tell you very candidly up front that this bill is not in the form that we would like it at...at the present time, but due to our deadline, the only alternative we have is to send this bill on over to the House and have it amended over there with continuing...negotiations with Illinois Farm Development Authority, DCCA, the Rural Affairs Council and Department of Agriculture. So, as I say, the bill is not in the form that we would like it. It's similar, I think in...in...in a sense, to Senator Welch's bill that we sent out of here a little earlier. I would be happy to answer any questions...but this is a very important issue to downstate Illinois.

PRESIDENT:

Discussion? Any discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Mr...Mr. President and members of the Senate, I want to remind the Body that...that Senate Bill 1452 passed out of the...the Senate Agriculture and Conservation Committee on attendance roll call with a commitment from the sponsor and from DCCA that it would be amended on the Floor...that DCCA and...and the Illinois Farm Development Authority would work

out their differences and they'd tighten up the bill, and to my knowledge, this has not been done.

PRESIDENT:

All right, further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, if I could get a clear shot at...at Senator Woodyard.

PRESIDENT:

Gentlemen, please, can we have a little order.

SENATOR DEMUZIO:

Senator...Senator O'Daniel is absolutely correct that there was a commitment in committee that this bill would be amended and yesterday the sponsor brought forth an amendment and then eventually took it out of the record. Let me just suggest to you what we are doing here with Senate Bill 1452. This bill is going to run right counter to and in competition with our Democratic proposal of rural revival that we passed last year, and I can understand the other side of the aisle wanting to...to have their own particular program, but let me tell you what's in this one. Let me tell you what's in 1452. This one authorizes the Department of Commerce and Community Affairs to give state tax dollars to anybody for any purpose. There is no criteria in this bill because the director has the opportunity to, number one, establish the criteria and, number two, to waive any limitations that might be imposed on the amount of financing and also on the percentage of the projects to be financed. It also sets up a...a duplicate effort. This bill establishes a program where the...the Illinois Farm Development Ag. Diversification Program which we Democrats enacted as part of the rural revival program except that the...if this program would be responsible...is responsible and, quite frankly, is much more well written. This bill would establish a joint committee which would empower the Department of Commerce and Community Affairs to analyze

rural communities. Well, the Governor's Rural Task Force and the Rural Affairs Council, as well as the Department of Agriculture's Bureau and Ag. Development and DCCA's Office of Rural Affairs are all doing this right now. This bill, in terms of the target groups supposedly targets rural businesses but the definition actually allows any business anywhere except in cities of over fifty thousand. So, think about what you're doing here. In terms of the security that...provisions that are put into this bill. It empowers the Department of Commerce and Community Affairs to institute foreclosure proceedings...foreclosure proceedings for a...as a function of State Government? I hardly think so. And then, it would seek an appropriation of two million dollars from the General Revenue Fund plus two hundred thousand dollars of administrative cost to administer this program. There are many other things that are wrong with this particular program and I would rise in opposition to this program. I would ask Senator Woodyard in lieu of the commitment that was made to Senator O'Daniel in the Ag. Committee or an amendment here and since that is not been placed on the bill, that he take this bill out of the record, give...give us an opportunity between now and June 30th to have the opportunity to...to negotiate and to work on a better, more tightly designed program that we can support bipartisanly, and given that opportunity, I think that, perhaps, we...by the time of June 30th we might be able to come up with a program that all of us can support and would be in the interest of rural economic development in...in rural Illinois.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, thank you, Mr. President. I've been listening to some of the dialogue here and I guess about the only thing that's accurate so far is that it is a Republican sponsored

bill. Senator Demuzio, I have to tell you, I...I do want to take some issue with you on...on the manner in which you described this, but even if you were accurate, you had a bill yesterday that...expanded a program that didn't even start, and you're attacking this. I think there are some controls in this. In terms of the amendment, there was an honest to God screw up and I think there's an honest commitment to get that done. I think we ought to go ahead and pass this. We've passed most rural programs; in spite of some of my objections on some of them go flying out of here and all of a sudden because we have...and our sponsor that doesn't seem to be a good idea. I would...I would get about the idea of getting this bill passed.

PRESIDENT:

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

SENATOR WOODYARD:

Thank you, Mr. President. I do wish to respond to Senator Demuzio on a couple of points. I do apologize to this Body that...that we didn't have the amendment ready for this bill in the...in the...in its agreed form and technically correct. It was...it was just impossible to get that done...but I want to reiterate, we are going to address that situation over in the House and I certainly would ask your support in sending this bill over to the House. I would like to reiterate...or...or to bring to your attention also in a very specific manner why this bill is so critical...in need to downstate Illinois. In February, I had the opportunity to visit a turkey processing plant, a major one, in southern...guess what? Indiana, not Illinois. They are very interested in establishing production units and with the investment of forty million dollars in...in this state in a ten county area. This bill is absolutely critical for some of the programs that need to be in place to get those people

SB 1456  
3rd Reading

here. We also are looking in my home district at the establishment of a new popcorn processing plant that will employ a hundred and thirty people. This bill is critical for that program, and so with those various things, I certainly urge the adoption and passage of Senate Bill 1452.

PRESIDENT:

Question is, shall Senate Bill 1452 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, there are 34 Ayes, 17 Nays, 2 voting Present. Senate Bill 1452 having received the required constitutional majority is declared passed. 1456, Senator Welch. On the Order of Senate Bills 3rd Reading, Senate Bill 1456. Read the bill.

SECRETARY:

Senate Bill 1456.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill was requested by several veterans' assistance commissions in various counties throughout the state. What it does is gives some direction to what these commissions are to do in particular. It requires the superintendents of these commissions to comply with the regulations adopted by the Veterans' Assistance Commission and the Department of Public Aid. It also requires some reimbursement of expenses to commissioners who were also unsalaried. It also allows for more efficient processing of requests for financial assistance for those veterans who are indigent. I would ask for a favorable vote.

PRESIDENT:

S.B.  
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3rd reading

Discussion? Any discussion? If not, the question is, shall Senate Bill 1456 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 1456 having received the required constitutional majority is declared passed. 1459, Senator Dudycz. On the Order of Senate Bills 3rd Reading, the middle of page 14, is Senate Bill 1459. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1459.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, Senate Bill 1459 is the Neighborhood Preservation Act. This bill will do the following. When a group of residents in Chicago residing in a contiguous area containing a...containing a minimum of two thousand people, if they believe they do not have sufficient police patrol, they would petition, in writing, to the state's attorney for a public hearing and...the minimum petition signers would have to be fifteen hundred. Number two, the state's attorney and the county sheriff would hold hearings together in that community to ascertain if petitioners' concerns were well founded. Now, if either one or both decided that adequate patrol was being provided, then no further action would be taken; but if both the sheriff and the state's attorney agreed that there is a need, then the state's attorney would instruct the sheriff to provide necessary patrols for that community. Now the people that would be patrolling that specific community

would be the sheriff's police as sworn peace officers. Number three, the intent of the sheriff's patrols is...and...I'm going to quote from the bill, "Supplemental police protection and presence only. It is not intended to intrude upon existing city police authority in those areas nor is it intended to provide the sheriff with the primary authority in or responsibility for police matters within the area of patrol." In other words, in every case, and I stress in every case, the command and ultimate authority lies with the city police officer. And, finally, when the sheriff or the state's attorney, not both, when either or both decide that the patrols are no longer necessary or feasible or capable, then either one or the other may direct the patrols to be suspended, restricted, reduced or discontinued, and this Act has a repealer date of February 1st, 1991.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. At first I...I really felt that at some point that this bill would, in fact, be left on the Calendar or Tabled because I really...didn't think that the sponsor of this bill was really, really serious, and let me...let me tell you why. The net effect of this bill has about as much positive impact as it...if you were just...sent out a press release to your constituents and say, I have a magic wand and I will will you adequate police protection to your heart's desire. There is no...no community in the City of Chicago that will tell you that they, in their opinion, or any other major urban area in this country have adequate police patrol or police protection because it is unrealistic to assume that you could afford to have that kind of police force to protect all of the needs and concerns of the people. If that was true, we most certainly would not have any type of crime and until we can

reach that kind of Utopia, you will never have communities saying that they have adequate police. Now back to the bill. This bill the way it is drafted is totally unenforceable. The state's attorneys don't want it. The State Police don't want it because they cannot administer it. Everything about it in terms of the petitioner, no definitive date or by which one would base whether or not a petition should be heard or not heard. Any...is all...any time a community decide...what are we going to look at...are we going to let crime statistics to determine whether or not they would have...if that's the case, Jeremiah Joyce's community probably would not...get top priority. A lot more communities of those of you who are going to support this thing wouldn't get top priority...I would probably get...my district would probably get more, other areas would probably get more. So, I think you're playing a real serious game here. We need to get about the business of this state, move on with the legislation on this Calendar so that we can get out of here. It's time now to stop playing this game. Look at the bill. Look at this amendment. Look at page 2 of it, for example, the intent is faulty based on subjected criteria. Even creating this new special uniformed sheriff patrol division and talking about that...that the search officers and personnel as the sheriff may from time to time designate to go out on these special patrol. No...no...no qualifications or requirements. He can take anybody there and send them out there. This is crazy. It is designed for nothing but chaos and conflict and we ought to, right now, put this thing to rest one and...one and...one and forever. I say let's vote against this bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Dudycz. Oh, I beg your pardon. All right, further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. A point of personal privilege,

please.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

State your point.

SENATOR SEVERNS:

I'm happy to have join us...in fact, in the full President's Gallery today, some fantastic junior high schoolers from Cumberland. I'd like them to...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Oh, will our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. All right, further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, you know, I had this program de facto in my community at one time in 1980...1979-1980 and it works. I don't know if...if the way that we're...that it's been put together in this legislative proposal is going to work, but there's a gesture here and I think this thing can be worked out between now and the time it passes out of here and gets to the Governor's Desk.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, the...I'd like all the Senators to know that the City of Chicago is, of course, opposed to this bill. What it does is take away from the city the authority to deploy...deploy its forces as it so chooses, and before I go any further, I'd like to ask the sponsor if he'd yield to a question.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Sponsor indicates he will yield. Senator Newhouse.

SENATOR NEWHOUSE:

In the case that this bill...happens to pass and, of course, I hope it doesn't, would you be willing to attach a proviso that would require the policemen to live within the

district which they serve?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Absolutely not, Senator. As it stands right now, as you know, in the City of Chicago, there is a requirement for all police officers to live within the corporate boundaries of the city but not within that specific district, and I don't think that...you should make that requirement for those sheriff's police officers to live in the city district.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

You answered my question, Senator, but that would solve the problem that you...you...you suggest exists. Now, if the problem is a local problem and if there is an insufficient police forcing at present to resolve that problem, then there's several alternatives. If the manpower doesn't exist, this bill won't do any good. If the manpower does exist presently and is improperly deployed, then you have another situation altogether, but I'm not sure that you're addressing that in this bill. Now, if we're speaking of some entities that have nothing to do with the City of Chicago's administration, that have very little concern, as a matter of fact, for that city, if you...if you're speaking of bringing in forces from beyond who have no concerns for what happens within that city, I think that's a terrible approach. We have people in the City who can do this job. We have people in the city who are anxious and willing and able to take on this kind of responsibility. Those it seems to me ought to be the ones that you would target for your protection and for my protection, and if that were so, perhaps this bill would have some merit. If you would consider a requirement that those peace officers live in the community that they purport

to serve, I could consider this as an appropriate bill for that purpose. For the present though, I see this bill serves no purpose at all and ought to die a reasonably unpainful death in this Chamber. I would suggest a No vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, President. I don't want to belabor this but I rise again in opposition to this proposal, and I suppose that we're never very consistent around here, but it seems to me that I was seated where you were not too very long ago, as a matter of fact, when Senate Bill 1269 was being discussed; and I thought Senator Dudycz was very solicitous about the Chicago Police Department and what...what their obligations and responsibilities and duties were and he was reluctant to have anybody else in the park, uniformed or uniformed, that would presume to take over their responsibility, and I suppose to that extent, Senator, as you know, I must declare something of a conflict, my brother is a sergeant on the Chicago Police Force, and I, for one, don't want to cast an affirmative vote where the bill itself says that the city police presence is insufficient. I think whether it's the State's Attorney of Cook or the Sheriff of Cook or the Chief of Police of the City of Chicago or the mayor for that matter, if you get fifteen hundred residents of the city to sign a piece of paper that says we need more police protection, you're going to get it. I just think this is a bad precedent to be setting. I think by virtue of the fact that our friends from other areas of the state have decided not to join us in this program speaks to its shortcomings, and so I would ask those who are not from the City of Chicago to let us kind of sort it out ourselves. If this program is of such merit, perhaps it ought to statewide and ought to apply to

Rockford and Peoria, Springfield; otherwise, I think we are simply making a statement and a statement, frankly, with which I do not agree.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further...further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You know, I suppose it's easy if you live in River Forest or Maywood or Oak Park or Elmhurst or Wood Dale or Lombard where there isn't much of a crime problem, but when you live in the innercity and you're afraid to let your dog out or let your kids play in the yard and there is a hell of a crime problem, it would seem to me that in some cases we ought to give extra police protection. Now, I certainly would agree downstate we don't have those problems, but just try the city after dark. There are many, many neighborhoods...if they were down here today, I'll tell you how you they would tell you to vote, give us a little extra help.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Jeremiah Joyce for a second time.

SENATOR JEREMIAH JOYCE:

Yes, I apologize for rising for a second time. I would like to make this one point. It is a fact that there are...there is an insufficient police presence in the City of Chicago...that is...that's correct...that is correct. If you were to be in a police car in the City of Chicago this evening, starting around eight-thirty and sergeant...Sergeant Rock or...or...or anyone else would be out tonight, you would experience the following. No cars available. No cars available in the 22nd District. No cars available in the 19th District. No cars available in the 9th District. Switching over to citywide two, switching over to citywide three, can anybody handle the call? That's a fact. Who's responsible

for it? We are not dealing with that question here. We are just trying to address that. We are trying to provide an alternative. What we are doing here...what we are proposing they are trying to do in Los Angeles at the present time. This thing is not perfect as it...if it leaves here, there's a lot of work has to be done on it, but it's a start, it's a gesture.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I was in them squad cars for fourteen years and I worked the most busiest district in the City of Chicago, the Wabash District. Yes, I grant you that on busy nights there's no cars available and they call them in from districts where there is cars available. They operate on what is called a crime index and where crime is heaviest, more police are assigned. Yes, there's a shortage of police officers in the City of Chicago because there's a shortage of funds all over the nation to fund police protection; and Senator Rock was absolutely correct, anywhere you go in the City of Chicago or any large state...or any large city in this state, you'll see that people are saying they need more...police protection, but more police protection in itself is not really our answer. There's other answers that we have attempted to solve in this General Assembly that had...fallen on deaf ears. In my experience, and I happen now to live on the far south side of the City of Chicago where the crime is relatively...on the decline, not far from Senator Joyce's district where there they do have extra police protection, where they do have patrolmen actually walking beats, walking street beats, something we have't seen in twenty years. So, I...it's just...we must let the police department in the City of Chicago, who I know is the Chicago finest, do their job. That's what we're asking, let them do

their job.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz may close.

SENATOR DUDYCYZ:

Thank you, Mr. President. First to Senator Brookins. Senator, like you, I also worked in a busy police district. Cabrini Green was my beat for two years, between 1972 and 1974, and then I worked six years on the west side of Chicago in the Horner Projects as a beatman. Thirteen years I was a beat cop. I wasn't a desk jockey hidden away somewhere. And to Senator Rock. Yes, sir, I know your brother...Mr. President, I know your brother is a sergeant in the Chicago Police Department because I worked for him. I worked for him for two years on that west side. He's a very exceptional police officer and I was very proud to work for Mike. You know, ladies and gentlemen, I've listened to a lot of talk on the other side and I take issue was some of your statements. This is no game. This doesn't specify priorities, your community or my community. To Senator Newhouse, the residency requirement. You're...you're...you're trying to tell me that you would support a residency requirement which would require a Cook County sheriff being assigned...and as a temporary position to a specific geographical location in the City of Chicago to be...to be living there. That's ridiculous. Members, for the past two and a half years, constituents of mine have consistently complained to me about a reduced visibility, and we're not talking about whether anybody has police patrol, doesn't have, you have more, I have less, just a visibility of the police patrols...in our community. Well, the big question was, are their fears founded or not? What can we do? What can we do...they sent me down here. How can I find out if their concerns are simply false hysteria or...or justified fears? I don't know. None of us know. What we do know is this. There's been a change of deployment

of police personnel citywide in Chicago within the past few years...tactical officers, and we all know this, it's been in the papers, tactical officers have been sent to O'Hare Airport for traffic duties. Patrol officers have been consistently sent to other assignments including festivals, parades and other details. Now I can't compare the...the figures or crime statistics from year to year, but my community is within the 16th Police District on Chicago's northwest side. And, Senator Smith, I...I'm not going to compare my statistics to yours, because I don't know what statistics from your community or Senator Marovitz' community or Senator Joyce's community is, but I'd like to share with you the statistics of the 16th Police District for the year 1986. In 1986, there were reports of two thousand seven hundred and eighteen criminal damage to property, one hundred and sixty-eight deceptive practices, one thousand four hundred and seventy-four simple batteries, seventy-five arsons, one thousand two hundred and fifty-one auto thefts, three thousand six hundred and fifty thefts, one thousand four hundred and ninety-six burglaries, two hundred and twenty-three robberies, one hundred and sixty-one aggravated batteries, thirteen rapes and four homicides, and this does not include O'Hare Airport, what is considered by many one of the safest areas of the City of Chicago. Again, I'm not comparing. What I am saying is that there are twelve squad cars assigned to this entire 16th Police District, and those...those twelve...squad cars are manned as one-man cars at night. Now out of those twelve patrol beats, my own home along with my neighbors is patrolled by police beat 1632, a one-man squad car...forgive me, but I...like to share these statistics. Beat 1632 was assigned to patrol an area consisting of over two hundred city blocks...Chicago city blocks. Now this area not only includes those...two hundred residential blocks but also includes three parks, the Wright Junior College Campus,

two public elementary schools, three private schools, several churches, one cemetery and the Chicago-Reed State Mental Health Facility. That's one squad car, one beat and at night there's one officer patrolling that area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz, can you bring your remarks to a close, please?

SENATOR DUDYCZ:

Yes, sir. Now, maybe this one-man squad car can adequately patrol the entire beat, maybe not, but what if an adjoining beat receives an assignment? All of a sudden this...beat car 1632 was responsible for patrolling a larger area. Now, as you know, I am a thirteen-year veteran of the Chicago Police Department and I do consider it to be...the finest, the absolute finest in the country, if not the world, but my own...own...only logical response to my constituents who fear inadequate patrol protection is included in Senate Bill 1459. Let the sheriff, who is a Republican, and the state's attorney, who's a Democrat, combine...make this decision whether there is adequate police protection in your community as well as mine, if the people petition them. Now to those who say that the city cannot afford six million dollars for more police protection in this fashion, I say they found twenty-five million dollars to bail out the Chicago Housing Authority. Where did that come from?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Dudycz...

SENATOR DUDYCZ:

And I ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1459 pass. 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 31, the Nays are 23, none voting Present. Senate Bill 1459 having received the required constitutional majority is declared passed. Senator Rock. All right, on the Order of Senate Bills...oh, I'm sorry, Senator...Senator Degnan, for what purpose do you arise?

SENATOR DEGNAN:

Like to add Senator Collins as a hyphenated cosponsor to 1443.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, you've heard the request of Senator Degnan to add Senator Collins as a hyphenated cosponsor of 1443. Is leave granted? Leave is granted. Senator Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

I...I had my button on, Mr. President, to ask for a poll...I ask for a verification, but, you know, a lot of things went on, but these lights were on when you...when you recognized someone else.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well, I had my...my Calendar over; irrespective of that, it is, in fact, in order. So, therefore...all members will be in their seats. Senator Newhouse has...requested a verification of the affirmative roll. The Secretary will read those who voted in the affirmative.

SECRETARY:

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

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Newhouse, do you request the...

*SB 1463  
3rd Reading*

SENATOR NEWHOUSE:

Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Davidson is in seat.

SENATOR NEWHOUSE:

Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis is conducting a press conference.

SENATOR NEWHOUSE:

Senator Raica.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica is in his seat.

SENATOR NEWHOUSE:

Senator Mahar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mahar is near his desk.

SENATOR NEWHOUSE:

Senator Watson...just come back on the Floor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson is at the rear of the Chamber. All right, on the verified roll call...roll call there are 31...31 voting Yes, 23 Nay, none voting Present. Senate...Senate Bill 1459 having received the required constitutional majority is declared passed on a verified roll call. Senator Davidson.

SENATOR DAVIDSON:

Move to reconsider the vote by which...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson having voted on the prevailing side moves to reconsider the vote by which Senate Bill 1459 passed. Senator Schaffer moves to Table. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion to...to Table is carried. On Senate bills 3rd reading is Senate Bill 1463, Madam Secretary.

SECRETARY:

Senate Bill 1463.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1463 creates the...Asbestos Abatement Authority to facilitate the establishment of a comprehensive approach to asbestos abatement in Illinois. The authority would consist of the Attorney General, the Comptroller, the director of the Department of Public Health, director of the Environmental Protection Agency and the executive director of the Capital Development Board or their designees. There will be ten nonvoting members of the authority appointed by the Attorney General and it would be...the purpose of this to coordinate removal of asbestos or abatement of asbestos in state buildings, the coordination of litigation and the...attempt to...to secure back to the State of Illinois, hopefully, millions of dollars of damages that have been incurred as a result of the...asbestos threat. Be glad to respond to any questions. Solicit your Aye vote.

PRESIDENT:

Discussion? Any discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I certainly rise to support this. I talked to the Attorney General yesterday. He tells me that John-Mansville's case is about ready to be settled it'll be megadollars...billions of dollars. If we have our list of priorities, our list of schools, mental hospitals, et cetera in line, we could benefit up to some half a billion dollars. So, I would hope that everybody would vote Aye.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

Just a quick clarification. I agree with what everyone's saying. I'm in favor of the bill, but why is forty percent of the money...set aside for litigation when the Attorney General who is already a full-time state employee is doing the litigation? Why does forty percent of the original...2.5 million go to the attorneys? Maybe we could use it in the fund because the Attorney General is already working for us and doing a good job on this.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

The allocation of those funds is exactly the purpose of preparing...what Senator Philip has mentioned, preparing the cases for the proper presentation to the respective courts where these are pending. It requires...examination, inspection, experts to come in. It's not just lawyers' fees by any means. It is the development of the...of the factual presentation in each one of these cases.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall Senate Bill 1463 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 1463 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1464. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1464.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would create the fund that would become a revolving fund as authorized by the...Senate Bill 1463. This is merely the feeder money. There would be no other expenditures out of this because ultimately the courts would make an award to reimburse the state for the legal fees involved in pursuing the litigation. I would ask for a favorable roll call.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1464 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 1464 having received the required constitutional majority is declared passed. 1468, Senator Newhouse. On the Order of Senate Bills 3rd Reading, bottom of page 14, is Senate Bill 1468. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1468.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, Senators. I think we all know what's about to happen on this bill. We can all count, and those of you who have been here with me for the twenty years I've been here have seen this bill or its variation for at

least fifteen Sessions, so it's nothing new to you. It's the same issue that we've been discussing for time preceding my tenure here. This is about work, it's about respectability and about responsibility, and Bob Healy and Dick Walsh, wherever you are, I hope you turn up your hearing aids 'cause I know you're hiding and listening. The AFL-CIO leadership has worn two hats and two faces with us over these years; one hat says that we're your friend and we support minority causes and they do support minority causes. They support anything for us except work...except work, and those of you on the other side, I'd wish you listen very carefully to what I have to say because it certainly fits the conservative vein that is purported to be the backbone of your party. You'll recall that when the Governor was here delivering his...Budget Message that we had some byplay concerning work, and the...Governor agreed with me that one of the principal thrusts of this government ought to be to provide young people with work opportunities and to train them for that and that is what this bill is all about. However, we're sending messages out to our children and we're telling them some things that they're listening to. We're telling them that we're...I wish you'd listen to me on the other side, 'cause we're telling our kids that we're prepared to spend all the dollars we can find on security. We're willing to spend the dollars on court systems. We're willing to spend the court dollars on jail, on prisons and on parole and in every fashion except the one thing that we all hold practically sacred and that is work. Well, we talked to the Governor and the Governor agreed to a meeting right here on that...this Floor; that meeting hasn't taken place, that meeting probably won't take place. We're sending the kids the following signs, we're telling our children we will block your path to normal, rational, productive life at every turn. We're telling our children don't look to your government or to society for sup-

port and encouragement. We're telling our children that we'll see to it that you will be blocked in every turn in the road and there is no escape route. We're telling them to look on the bounty of this nation, look but don't touch, that's what we're telling our children. We're telling them it doesn't matter that you have talent, it doesn't matter if you are willing and able and eager to work. It doesn't matter what your ambitions are or what might be, we're not going to permit you to participate. And we're concerned about the drop-out rates, we're not losing our children in high school, we're losing our children in the second grade when they read these signs and understand that you're telling them that there's no hope and no outlet. Well, the thrust of this bill is to prepare an outlet, to do what children can do naturally, to give them the training, the hope and the concern that will make them productive citizens. And here again I address this to the other side of the aisle, this bill is all about tax producers as opposed to tax consumers, that's what it's all about, that's the bottom line. Now, let me share with you for just a second, I don't really want to take up your time this way but this is a very important bill, what I have watched and what many on this side have watched happen to our children and to our communities in the City of Chicago. I live in Hyde Park, I have surrounding me Woodlawn, Oakland, South Shore, South Chicago. Let me tell you what's happening in those neighborhoods. Those neighborhoods which in some instances were once elegant housing...once elegant housing, all of them surely up or middle class housing have deteriorated to the point of no return. Woodlawn is dead, dead; Oakland is dead, dead. Oakland is going to come back because it abuts that...that...that...that spreading regentrification from the Loop. It's going to be recovered, but it's not going to be recovered for the residents who were there and residents who should have and could

had stayed given the opportunity to do the kind of work that is necessary to keep a community going. Now, here's what happens. The grandparents of these youngsters who came to this city, to Chicago that is, equipped as crafts people...as crafts people, carpenters, electricians, plasterers, lathers, brick masons, their grandchildren cannot follow in their footsteps. And what has happened is the sole outlet for that preparation, the sole outlet is for all intents and purposes foreclosed to them and that is the reason that we come to the State Legislature to say to the...State Legislature, the state has an interest in this. The state has an interest and concern in what happens in that city, has an interest and concern about what happens to those children. It has a concern because they're affecting the...tax rates in downstate in your farming areas, they're affecting the tax rate in upstate in your areas, in your industrial areas, everywhere in this...in this state it is...your tax rates are affected by what we are not doing by the inhumane way that we're letting private interest proceed to block out the talent that we have available in this state. That's the issue, that's what this bill is all about. This bill does one thing. It tries to open up the process to say to our young people that, yes, we do believe in you; that, yes, there is a future plan for you and, yes, we're relying upon you to build and run this state at some state. That's what this bill says. So the long and short of it is wrapped up in the few minutes that I took to explain. Everybody knows what the bill contains, so there's no need to really explain that. I don't know, I expect I've not swayed anyone in what I have to say here, but I do hope...no, I'm confident that the message is going back to Bob Healy and Dick Walsh that what they're doing is going to make organized labor...of which I'm a member, that votes for organized labor from the minority groups in this body are going to become the Mark of Cain. And if this bill

goes...goes down, that process will have begun. I solicit your support for a bill that would produce more for this state than most of the other bills that have come through this General Assembly in the twenty years I've been here and I ask an Aye vote on this bill.

PRESIDENT:

The question is the passage of 1468. Discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think about the only comment that I can make is that the committee...going back to the day that this bill appeared before our committee was deprived of some of the insights perhaps on the bill. The sponsor does say that everybody know...here knows what the bill contains. Well, what happened in committee was that we gave...we gave Senator Newhouse a unanimous vote, I don't think there was a dissenting vote on the bill, with the understanding that the bill was coming out of committee as a vehicle bill and there would be an attempt on his part to replace that vehicle bill with another measure designed to do that which he has spoken of. And I just wanted to make that observation and I think it's accurate as to what happened in...in...in committee so that...the members of the Body here would understand.

PRESIDENT:

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

SENATOR NEWHOUSE:

I simply want to say, Mr. President, that's...that's an accurate statement of what transpired in committee and I do appreciate the chairman and the committee's response. I don't think any more needs to be said about this. Why don't we take the vote and see what happens.

PRESIDENT:

The question...

SENATOR NEWHOUSE:

Thank you, Mr. President.

PRESIDENT:

...the question is, shall Senate Bill 1468 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, there are 31 Ayes, 24 Nays, 2 voting Present. Senate Bill 1468 having received the required constitutional majority is declared passed. 1470, Senator Netsch. On the Order of Senate Bills 3rd Reading is Senate Bill 1470. Read the bill, Madam Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1470.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 1470 in terms of our responsibilities as both legislators and leaders is probably one of the most important bills to come before us this Session. It deals with pensions and it deals not with the benefits, which is what we usually are dealing with in the General Assembly, but with how to pay for those benefits. It is confined to the five state pension systems and it does...provide a method of funding them over a period of time. I want to be absolutely clear that the bill has a very high price tag in the first fiscal year and in several fiscal years thereafter. There is also no question that over a longer period of time, if we were to adopt this method of funding our pension obligations, that we would, in fact, save the state a great deal of money, and I would like to address

that very briefly. What this bill does in effect is to require that the state contribute enough money to its five...basic five state pension systems each year to meet the normal cost of those pension obligations and to amortize the unfunded liability over forty years on a system that is known as level percentage of payroll. What that means, in effect, is that we would be paying the actuarially determined...obligation each year and we would then, in effect, be adding an additional amount which over a forty-year period would bring us up to a responsible method of funding. Let me give you an idea of the cost difference. In Fiscal Year 1988, at our current system...and I should...modify that and say at our fairly recent system of paying at sixty percent of payout, and as many of you know, we're no longer even budgeting at sixty percent of payout, the obligation for the five state funds this year is four hundred and fifty-eight and a half million dollars. Under Senate Bill 1470, it would be five hundred and five million dollars. In other words, this bill would cost the state funds about forty-six million dollars more this year, but let me also point out something, that if we continue to pay at sixty...or to fund rather at sixty percent of payout...over the next ten to twenty years, we will be increasing our annual appropriation for pension obligations at a pace considerably faster than would be called for under this bill. So, that, for example, by...in the next twenty years we would increase our...our dollar requirements seven percent and...seven and a half percent and we would increase our obligations as a percent of payroll to 12.4 percent. If we adopted this system, we would be at a considerably less...cost over that twenty-year period. There is no question for about the first four or five years, this would require us to, if I may use the expression, put up or shut up. Either we are willing to fund our pension obligations or we have got to stop piling on the benefits. This

would do it. It is absolutely responsible. It is very costly but it is costly only right now. It is in the long-run a major saving for the State of Illinois and for the taxpayers who would follow us. I was very pleased that the Insurance and Pensions Committee let this bill out of committee. I think both the chairmen, Senator Jones and Senator Schuneman, felt that the principle that it incorporates is so important that we had to face up to it on the Floor of the Senate. I hope we can pass it out of this Body and keep it moving. If ultimately there is not enough money, I suppose the Governor could end up vetoing it as he has other things, but I think he has got to understand, as we have to understand, what we are doing to ourselves and those who come after us in terms of pension obligations. This is a responsible way to face up to it.

PRESIDENT:

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Members of the Senate, I support Senator Netsch's bill. I think that...while we look at this bill and recognize that it has a cost, a first year cost of some forty-nine million dollars, that in the long-run it is a money saving bill. The simple fact of the matter is that if we fund pensions in the way that we should fund them, we set money aside and that money then earns money and we have the funds available to fund the pensions when they need to be paid out. The system we have been following has, in effect, been taking money that was set aside in prior years and because of the earnings on those prior years' deposits, we've been able to get by, but we can't keep doing this. Now, I'm not naive enough to think that we're going to fund this in the amount of forty-nine million dollars in this current year without some major infusion of revenue, but we should come to grips with the question of whether or not this

is...is a step in the right direction and I think that it is. I think there may be some confusion on the Republican side of the aisle as to whether or not we support this concept but...I want you to know that I, for one, do support it and I was glad to see that the majority members of the Insurance Committee supported the concept, because I think there's a growing awareness that we got a pension problem and this is simply another step in trying to solve that problem.

PRESIDENT:

Discussion? Any discussion? Senator Netsch may close.

SENATOR NETSCH:

Thank you, Mr. President. I would add just one thing that in November 1986 the Illinois Economic and Fiscal Commission staff had put together a very, very thoughtful and detailed analysis of our entire state pension system known as Pension Overview. In it, they proposed some alternate ways of attempting to live up to our pension obligations. This is the method...the so-called level funding method which attracted the most attention and really is the easiest to absorb and to live up to because it can be spread out over forty years and it's very predictable, you know exactly what your percentage of payroll cost is going to be each year. As Senator Shoeman indicated...Schuneman indicated, it is more in the first years, it will be less later on. I think it's really time we faced up to what is a major public obligation that we, as legislators, face. My tribute to the chairman of the committee and the minority spokesman for supporting this bill and I would hope you would support it also.

PRESIDENT:

Question is, shall Senate Bill 1470 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, 1 voting Present. Senate Bill 1470 having

AB 1482  
3rd Reading  
AB 1475  
3rd Reading

received the required constitutional majority is declared passed. 1475, Senator Joyce. On the Order of Senate Bills 3rd Reading is Senate Bill 1475. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1475.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This requires the Interagency Committee on Pesticides to conduct...a special study on the effect of chemigation and other...agricultural application of pesticides on ground water and report to the General Assembly next year. Right now, the U of I is...is doing this but they are doing it only in areas where they're showing...where showings of high nitrate levels are...are, and I would ask for a favorable vote.

PRESIDENT:

Question is, shall Senate Bill 1475 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, 2 voting Present. Senate Bill 1475 having received the required constitutional majority is declared passed. 1482. On the Order of Senate Bills 3rd Reading is Senate Bill 1482. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1482.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is one of two ground water bills that...they were extensively debated over the last couple of days on 2nd reading. It doesn't contain everything that I want. It doesn't contain everything anybody wants, but I think that the process of negotiation should continue and I would urge an Aye vote.

PRESIDENT:

Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of Senate Bill 1482.

PRESIDENT:

Question is, shall Senate Bill 1482 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 2 Nays, none voting Present. Senate Bill 1482 having received the required constitutional majority is declared passed. Top of page 15, 1487. On the Order of Senate Bills 3rd Reading is Senate Bill 1487. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1487.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, the wording of the synopsis is slightly misleading. It relates to the Insurance Code and it would extend legislation enacted in 1982 to designate the Department of Insurance as a criminal justice agency for purposes of exchanging information with state and federal law

enforcement agencies with respect to insurance fraud and would allow the director to protect the confidentiality of information exchanged with other criminal justice agencies. It expands slightly existing language in the Insurance Code. It passed unanimously in committee and I would ask for a favorable roll call.

PRESIDENT:

Question is, shall Senate Bill 1487 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate bill 1487 having received the required constitutional majority is declared passed. 1490, Senator Geo-Karis. On the Order of Senate Bills 3rd Reading is Senate Bill 1490. Read the bill, Madam Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1490.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I'd like to take that out of the record...was waiting for the amendment.

PRESIDENT:

Take it out of the record, Mr. Secretary. 1497, Senator Demuzio. On the Order of Senate Bills 3rd Reading is Senate Bill 1497. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1497.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, Senate Bill 1497 was a...package...one of five bills that were in a package that were put forth by the Cook County State's Attorney's Office and others. This...should have been, I guess, on the Agreed Bill List with the exception of the fact that it was amended. It provides for penalties for hazardous waste violators. The amendment that was put on cleaned up some of the forfeiture language. It also made some other changes that I think that are miniscule in...in nature, and I don't know of any opposition but I'll be glad to answer questions if there are any.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1497 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1497 having received the required constitutional majority is declared passed. 1502, Senator Schaffer. On the Order of Senate Bills 3rd Reading, Senate Bill 1502. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1502.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is an administration bill from the Department of Nuclear Safety. It raises the fees on nuclear power plants from four hundred thousand dollars a year to eight hundred thousand dollars a year, raises our...or creates a fee of a thousand dollars per

cask for shipment of nuclear...spent nuclear...fuel by truck and two thousand per cask for rail shipment. The money in the increased fees would be used to fund the...the implementation of the laws that we've passed in the last few years on nuclear safety. Some of the on-site monitoring programs and off-site monitoring programs that we have caused to come into being, I think, for very legitimate reasons need to be funded, and it seems an appropriate way that the...this type of a fee should be used to fund that.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1502 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, 1 voting Present. Senate Bill 1502 having received the required constitutional majority is declared passed. 1513, Senator D'Arco. On the Order of Senate Bills 3rd Reading, Senate Bill 1513. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1513.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill provides that the trustee on termination of a trust shall furnish to the beneficiaries entitled to distribution a final account from the date of the last current final account. That's all it does and I would ask for a favorable vote.

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I rise on a point of...personal privilege.

PRESIDENT:

State your point, sir.

SENATOR BROOKINS:

Yes, in the gallery to my left is the Wendall E. Green School, and what's so interesting about this school is that this is one of the schools that I would like to think started me in politics 'cause it was one of the ones that we helped to build in our community, so won't you welcome these students with me.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Any discussion? If not, the question is, shall Senate Bill 1513 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 1513 having received the required constitutional majority is declared passed. We have turned the corner, so to speak. Back to page 2 on the Calendar, and I would just...Senator Weaver, are you going to give us an update? Senator Weaver.

SENATOR WEAVER:

Ninety bills to go.

PRESIDENT:

Yeah, those that...those who don't wish to call them, feel free not to call them today. All right, top of page 2. On the Order of Senate Bills 3rd Reading, Senate Bill 21, Senator Collins. Yes, no or maybe, please. On the Order of Senate Bills 3rd Reading, Senate Bill 21. Read the bill, Mr...Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 21.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 21 is...is the response to some of the problems that...that...that had been raised specifically more recently about the...the quality of staff in the Department of Children and Family Services as it relates to child welfare investigation and other types of...of social services, and this language in the bill has been worked out very carefully by the...with the staff of Department of Children and Family Services and with representatives from AFSCME and other interested people...across this state and what it does, it creates a...a training and testing and a certification program for child protective investigators and child welfare specialists. As the bill first started out, it...it...it asked that the Department of Registration and Education develop a curriculum designed and...and have those persons tested and certified through the department. All interested parties thought that it would be best to have these people certified by the Department of Children and Family Services and with...and...and the development of a curriculum in conjunction with our local junior colleges and other interested persons in the area of education. I would ask for your favorable consideration of this bill. If you have any questions, I would be happy to answer...

PRESIDENT:

Any discussion?...

SENATOR COLLINS:

...few problems that have to be cleared up in the House.

PRESIDENT:

...Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I'm...I guess we got another licensure bill here. I don't quite understand why we need to do this. If there's a problem, does not the department have the ability to come up with standards for employment and...and training programs and don't those...I would tend to think that we want...if this needs to be done and I, frankly, haven't heard why it needs to be done, I would think we would be better advised to let the department establish its own standards and...and go forward there. I don't know why...I haven't heard if the department is for or against this bill, nothing that department does would completely surprise me, but it would seem to me that this is a very bad precedent. If we then allow this to happen, then we can go from various departments and we can have certified street patchers and certified sign replacers and certified this and certified that and we'll grandfather everybody in. I guess I ought to be for this 'cause some day, heaven forbid, there will be a Governor of the other party in, but by that time we'll have certified everybody and grandfathered everybody and protected everybody and you won't be able to fire one of us. No matter how incompetent or stumblebum drunk we are, we're there 'cause we're certified and you can't get certified without a Ph.D. and...applied tomfoolery to meet the standards other than the people that are on the spot. I think it's a bad precedent and I don't know why we want to do this.

PRESIDENT:

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

SENATOR COLLINS:

Yes, Senator, this bill is designed to actually deal with the problem that you...that you mentioned of not protecting those persons who's not specifically qualified to deal in a very delicate area as child abuse detection and prevention,

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family dynamics, child development, those are very sensitive areas which require some very specialized training. The department will have the authority to do this themselves and I agree with you, it should be in the department and that's where it is. I would ask for your favorable consideration.  
PRESIDENT:

Question is, shall Senate Bill 21 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 Ayes, 19 Nays, 2 voting Present. Senate Bill 21 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 28. Read the bill...Secretary.

END OF REEL

REEL 06

ACTING SECRETARY: (MR. HARRY)

Senate Bill 28.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is probably one of the more important bills we'll deal with in this Session. This is the...what will put in the Statute so the judges in all hundred and two counties will have a set of guidelines to put in place and to consider and work with and under to put into force the Constitutional Amendment which was adopted by better than seventy-seven percent of the...vote last fall. I...reiterated or iterated most of the things this did when we put the amendment on. Just touch on a few things. The state may file a verified position for denial of bail at the defendant's first appearance or if out on bail within twenty-one days after arrest, the defendant can...obtain a five-day continuance to prepare for the hearing, petition must support clear and convincing evidence that proof is evident and presumption great that defendant has committed a nonprobational offense, real and present threat to the physical safety of any person; no condition or release can reasonably assure against threat, and that's because it's in the Federal law and the factors determining the threat is on page 5 and 6 in the bill; defendant is provided with limited immunity, the defendant attorney is given discovery as provided by the Supreme Court rules, appeal rights are set out for the defendant and the state; and finally, nothing, nothing in this new procedure is to be construed to modify or

limit defendant's presumption of innocent. This product is what Senator Marovitz, who I'll yield to in a minute, and I have worked in negotiations with the defense attorneys, Chicago Bar Association, Chicago Public Defender, Cook County State's Attorney and staff and other state's attorney. And I think this compromises attempt to get all the competing interests as close together as we could. I'd appreciate a Yes vote.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. This is one of the most important bills we'll have this Session. It puts into the Statute the Constitutional Amendment...the standards for the Constitutional Amendment which was passed last November by, I think, seventy-seven percent...if that's correct, Senator Davidson, seventy-seven percent. The original proposal went far beyond that which was embodied in the Constitutional Amendment. By agreement of the committee we put the bill out on 2nd reading. We have worked with most all representatives of the bar association to clean it up and narrow the scope making sure that a defendant would have to have a hearing prior to being detained. And there's been some concern about the language regarding the...ability of the state to appeal a...a decision on...on...on bail. Some thought that perhaps that was granting the state new territory, new rights which they did not heretofore have; that is not...factual, the state today has a right to appeal those hearings, they are granted no additional right by this legislation. There's been tremendous amount of work and negotiations put into this...put in this bill for which I applaud Senator Davidson and...staffs from both sides of the aisle and all the law enforcement agencies and the bar associations. I think this is a very tightly

drawn bill. If there are any minor problems, they can be worked on in the House or perhaps in Conference Committee, but I would solicit your Aye vote. I think this does embody the...the feelings of...of our Illinois citizens who overwhelmingly supported the idea of preventive detention if done narrowly and to protect the rights of all concerned.

PRESIDENT:

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Well, that was a great speech. I'm not sure what he said but it was a great speech. Let me tell you, ladies and gentlemen...and I think this is important so you understand at least what we're doing here. And, number one, this is not an agreed bill, the State Bar is against this bill. You know, I don't know what bar associations they're talking to, but the State Bar is not for this bill. Now what the Constitutional Amendment said was that if a person poses a physical threat, a real and present threat to the physical safety of a person. All right, now what does that mean? Common sense says, if you've got a defendant and he might be intimidating a potential witness or he says, I'm going to kill that guy, or...you know, I'm...I'm mad at that prosecutor and I'm going to do this to him or that to him, the judge can say, hey, wait a minute, if we let this guy out on bond, this guy, he...there's a possibility he's going to hurt somebody and we don't want that to happen and we're going to deny him bail. That's fine, that's fine, that's what...common sense says the Constitutional Amendment said, but that's not what this bill says. This bill says, and it defines what a real present threat is and what it says is, it not only means a physical threat to a person, it means a threat to the community at large, it means a threat to a class of persons. Well, let me ask you a question. If I commit a nonprobational offense like a burglary, right? I

commit a burglary and I go before the judge, that's a threat to the community at large. If he let's me out...if he let's me out on bond, I may go commit another burglary, so I'm a threat to the community. And that's what this bill says. If I'm a threat to the community, he can't let me out on bond now, he's got to keep me in jail. This...yeah, hooray, right, hooray, you're right Pate, hooray. The bill also says that if there's evidence that I did commit a crime...you know what...you know what crime I could commit? Possession of cocaine. Under this bill it says not only am I a threat to the community, but if I commit any crime under the Cannabis Control Act which is a Class X felony, he can deny me bond for that too. I don't have to threaten the life of anybody, all I got to do is commit a crime and he could deny the bond. Ladies and gentlemen, I'm going to tell you something, these judges are very smart people. Forget about Greylord, I'm talking about the majority of these judges, they're very intelligent people. And they know what we meant when we passed that Constitutional Amendment. They know...in fact, there's a case pending in Chicago where a former alderman was charged with a crime and then there was evidence presented to the judge that he intimidated a potential witness at his trial and the judge revoked his bond, and that's what the people meant to say, if in that circumstances you've got a defendant before you that's a threat to a person, then don't let him out on bond and keep him in jail. But they didn't mean all of these things that are presented in this amendment. They don't even have to present a witness before the judge in this amendment. And the representative of the state's attorney, Rob Rapell said, well, they do that now, and its called proffer, they proffer evidence now without a witness that the man shouldn't be bailable because of certain reasons, and that's fine, but proffered evidence applies to the amount of the bail now, ten thousand, twenty, fifty;

you're talking about keeping this man in jail for a year and the man should have a right to present witnesses, to cross-examine a complaintant that says he has reason to believe he shouldn't be bailable. This is a terrible amendment, ladies and gentlemen. And think about it, and you should defeat it.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, my heart breaks for all of these criminals who want to sell drugs and are picked up. This bill is a result of the bail bond amendment that was passed by the people of Illinois. This sets up the procedure, it's a necessary thing and I don't know why we're wasting time arguing the merits for the bail bond amendment. Therefore, I ask for a favorable vote.

PRESIDENT:

Further discussion? Senator Davidson may close.

SENATOR DAVIDSON:

Well, three things before I ask for a roll call. One, those thirty-nine other people who were cosponsors of the Constitutional Amendment last year I invite to join with I and Senator Marovitz as cosponsors of this bill. Two, it has to be a very serious crime before the state's attorney even considers asking the judge to do this, it's got to be a Class X or worse. And, three, part of the things he talked about is already in the present bail rules that's in the...Statutes today under criminal law and procedure. Four, proffer is in the Federal law which has to do with...deny bail. But last but most least things...not least, excuse me, is the innocent victim and we people out on the street think we ought to have an opportunity that if this individual is a threat to a person or person that's a reasonable...there's no doubt that he's the one who committed the crime and the judge concurs and the threats are available or known to be exist, that that

person shouldn't be out. We just had a...all you got to do is read today's column, Toby McDaniel's column. The young man who they buried this past...this week 'cause he was shot, shot by an individual who attempt to hold him up, the fourth time he had been held up in a month as a cabdriver, shot him and that guy's out on probation and out on bail, he committed another armed robbery when he was out on bail again. We ought to string up the judge who let him out. But that person wouldn't have been out and that young man would still be alive. I urge a Yes vote.

PRESIDENT:

Question is, shall Senate Bill 28 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 6 Nays, none voting Present. Senate Bill 28 having received the required constitutional majority is declared passed. 34, Senator Poshard. On the Order of Senate Bills 3rd Reading is Senate Bill 34. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 34.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. Prior to 1983,...I...I've just recently passed out two handouts to each member of the Senate an explanation of this bill, and if you could possibly take the one that has the three circles on it and follow my explanation I'm sure the visual...will be much better than my verbal explanation. Prior to 1983, Illinois had a...a seven and a half cent Motor Fuel Tax and a 2.5 percent sales tax receipts, both of which

comprise the Motor Fuel Tax Fund. Those were distributed sixty-five percent to locals and thirty-five percent to state. In 1983, at the time of our last Motor Fuel Tax increase, a five and a half cent Motor Fuel Tax increase occurred and the distribution was changed for that Motor Fuel Tax increase from the...the thirty-five percent to the state and sixty-five percent to local to thirty percent local and seventy percent to the state, a drastic difference there. There is no contention with that. The new five and a half cent tax in 1983 was distributed, to everyone's agreement, thirty percent local and seventy percent state. The problem is, at the same time, unintentionally, the 2.5 percent sales tax receipt were also changed to seventy percent state and thirty percent local distribution. That wasn't really intended but it happened and it has not been changed since. The local governments today are hurting very much with the decreased property tax values, with the loss of Federal revenue sharing and so on. Senate Bill 34 would simply attempt to change that 2.5 percent sales tax receipts back to an eighty percent local share and a twenty percent state share. That seems only fair to me because for the past four or five years they have been suffering because of this unequal distribution of the sales tax portion of the Motor Fuel Tax Fund. The way that affects your individual counties that you represent has been passed out on the second handout that we had distributed and you can take a look at that in terms of this present year's distribution of those sales tax receipts. I would ask for a...a favorable response, Mr. President.

PRESIDENT:

Discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, I think this is like so many other things around here, good sponsor, bad bill. Let me tell you

what I feel is wrong with this. If you stop to think this thing through, the hit...the hit upon the Road Fund is roughly about thirty million dollars per year, just as if there's thirty million dollars a year that we don't need. Or to break it down to an individual district, that's an impact of about a half a million dollars for every district, yours and mine included. I sometimes think on bills like this maybe we ought to have a little altar call, maybe we all ought to go down to the Well and...and voluntarily sign in those projects that we don't want to have done in our district, because if we're foolish enough to give away this money there's some projects around the state that are not going to be done. I would point out to you, to my knowledge, county superintendents are not supporting this legislation nor are the township officials. I think they have agreed that they're going to lay off on this particular one. So I don't think we ought to rush headlong in a year like this to give away another thirty million dollars that's going to be there to build your state roads and my state roads in our districts.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, sir, thank you, Mr. President. I'd like to ask the sponsor a question, if I might.

PRESIDENT:

Sponsor indicates he'll yield, Senator Watson.

SENATOR WATSON:

On this handout that you sent around, Glenn, I'd just like to have an explanation of that two and a half percent sales tax receipts. We're now eighty percent local, twenty percent state, why did you come up with eighty-twenty? Could you explain that...for me?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Senator Watson, we did that to make up for the past four years, basically where the locals have lost this money.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Okay...well...well, thank you. And I'd like to just speak to the bill, if I might. First of all, I'd like to thank the sponsor for accepting my amendment of which the intent is of that amendment that the money that's going to go to the locals, the increased revenue, is going to be used for construction and maintenance, and it can be used for streets, highways, whatever a municipality or county or township wishes, but it has to be for construction. That was the intent of that amendment and that's what...what we want. But to the bill, I am...I'm going to have some problems in...in supporting this simply because of what the previous speaker mentioned and also because of the revised formula that the Senator has come up with. He's asking for additional revenues now to...to the locals, which, there's no doubt about it, they are suffering and...and hurting as much as...as the state. But whenever you got thirty-two million dollars, and that's what the Department of Transportation's fiscal statement says, thirty-two million dollars a year over the next five years that we're having an impact on the road program, I think...at this particular time it just isn't advisable to do this. Also, as we all know, there's negotiations going on now between...members, the department, the locals, everyone concerned on a possible and potential new road program. And I just think at this particular time it's not advisable to pass this type of...of legislation. And I'd urge a No vote. Thank you.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I note with interest this is Senate Bill 34. That means that Senator Poshard introduced it very early, that means it's been sitting around on calendars and mailings for a long time. I looked at my file for all my local letters of support for the bill and guess what? Nothing. Nothing. I haven't heard a word from them. And what I haven't heard from them, by the way, Senator Poshard, and I sponsored a bill like this about my sophomore year down here to raid the state fund for the locals, I succeed, I pulled it off,...there were several of us in the cabal, and the response I got afterwards was equally vocal and all of those locals surely made a point of saying what good things they did with the extra money and to thank their local legislator. Un huh, sure. A lot of things happen in this place that are unintentional. I notice your little chart, it says that we unintentionally changed it to thirty-seven...the...on the sales tax distribution. Tax increases aren't one of the things that happen around here unintentionally, and the distribution of the take, if you will, is not unintentional, it is the basis of negotiations. Now, it's possible that your local people and my local people, for that matter, were not privy to those negotiations and that there were others negotiating allegedly on their behalf but that was the agreement we hammered out in '83. I kind of get frustrated by some of my locals who get considerable road dollars from the state and then every time they have a problem, they come down for a Build Illinois Grant, you know, like to replace a light bulb in a red light. I get a little frustrated with them always coming down here more and more and more and never really wanting to get out front on a tax increase or anything like that, although some do, most don't. I really would be reluctant at this point to...to make this shift without a

justification from my locals. I haven't heard from them, they haven't asked for it, and I suspect if many of you will review your files, particularly my downstate friends, you will find similar messages. I just don't think this is a good idea. I will say, Senator Poshard, if I understand at least one of the proposals floating around here, that sales tax on that gasoline is all going to go somewhere else that I fear even more, it's called mass transit, so this bill may be just a moot point anyway. But, I...I really don't think we need to do this at this point.

PRESIDENT:

Further discussion? Senator Donahue.

SENATOR DONAHUE:

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

PRESIDENT:

Indicates he'll yield, Senator Donahue.

SENATOR DONAHUE:

Senator Poshard, can you tell what other state legislators...state...Legislatures do with the money that they bring in, do they share a great portion of their state funds with their locals?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

I...I honestly do not know.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Well, it's my understanding that the State of Illinois shares more of their revenues with their local governments and municipalities and what have you than any other state in the country, and if you added it all up and put total the amount of money, whether it be Motor Fuel Tax or sales tax or what have you, we have about a fifty-fifty split with our

local units of government. And, I, for one, have a great need in western Illinois, we all know that, for the roads, and we have them in locals as well as state needs. And I can't tell you what project I'm willing to give up for this thirty-two million dollars. And I hope we can defeat this.

PRESIDENT:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Yes, I rise in support of this legislation. You know, I...I've heard quite a bit here about what we're giving back but you got to remember, Senator Rigney, as an example, what you're giving back you've already taken away, that's the first point. Secondly, you have to remember that the Department of Transportation is divesting itself of roads on a daily basis within the municipalities, they're coming in and they're giving you one big one-time shot. We'll resurface this road, or we'll...we'll put a...a layer of asphalt on it, it's going to look real nice. Yes, it's going to look real nice for about three or four years. But also with that, you take...at that particular time, the municipalities are having to take the ownership of those roads. And also with the other rulings that's coming down from the Department of Transportation in regards to traffic lights and other items that are the responsibility of the city on a shared basis, it becomes vital that the cities have this money. And I think it's fair, I think the makeup is fair, and I think the fact that we're paying back is fair.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President and members of the Senate. I rise in very strong support of Senate Bill 34, and if...Senator...Schaffer indicated that...that...that Senator Poshard and some people were not...may not have been in on

the negotiations at that time, he may be right, but I'm...I'm sure that the Department of Transportation was in on those negotiations and they came before the committee and indicated that it was, in fact, unintentionally as the bill was drafted that the...that the distribution formula got switched around out of proportion as it related to the sales tax receipt. Senator Poshard is right, with the...the problems that the local units of government are having in reference to trying to maintain their streets and their lights and their alleys and a lack of funds and a lack of local revenue, that it is about time that we try and make up for that disparity as it relates to...changes in this formula. I think the way he did it is...is basically fair inasmuch as there's been about four years now that the formula had...had been changed and changed way out of proportion as it relates to sales tax receipts, so his formula would basically make up for it. And I would just ask for...affirmative vote.

PRESIDENT:

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. A speaker a couple of days ago talked about timing being a problem on a bill and I think this is a classic example of bad timing. We have a road proposal that's going to come before us before we get out of here, June 30th or July 1st or whenever it is. Four years ago, in probably what may have been an error, I voted against the transportation package in '83. I did so in large part because the locals did not get a fair share of that proposal back in '83, but now is not the time to do this if you're not willing to bite the bullet and come up with a road program. I think that this formula may very well fit into that final road package because the locals need more, and a compromise, a more modest proposal that has been made so far, I'm going to strongly consider supporting, if our locals get that

share. But my way of thinking is, as Senator Schaffer said in referring to pension bills the other day, this is a cleverly designed thing because we all want more for our locals. Well, let's stop grandstanding and let's get on with the serious business of negotiating a road package, a more modest proposal than has been done, and then we'll look for the time to give the locals more.

PRESIDENT:

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

SENATOR POSHARD:

Well, thank you, Mr. President. With all due...

PRESIDENT:

I beg your pardon...I beg your pardon. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. First time I've ever done this, and I apologize for rising...

PRESIDENT:

Second...for the second time. That's why...I'm sorry, that's why...I presumed you had concluded.

SENATOR WATSON:

Okay. This is the first time I've done that, and I apologize. But I can't let the chairman of the department...or the chairman of the Transportation Committee get by with something she said just a moment ago. Sometimes I think she attends different meetings than I do. She said that the Department of Transportation people came in and said that they did make a mistake in this formula change and they admitted to that. That is not true, that's simply not the facts. They came in, testified that...the...the debate was held on the bill...and, Senator Poshard, you recall this, because I asked the question. The debate was held on the bill, we had amendments that went up and went down, they said that negotiation went on for several different particular

days between the House and the Senate, but they did not say at any time that there was a mistake made or an unintentional action on their part. Thank you.

PRESIDENT:

All right. Further discussion? Senator Poshard to close.

SENATOR POSHARD:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. Let me speak to some of the questions that have been raised in regard to this issue. With all due respect to Senator Hawkinson, this is not grandstanding. This is a bill came up last year and I sponsored it and it passed out of this Senate in its very same form that we're reoffering it 58 to 1. Senator Watson made the statement that DOT testified to the fact that they knew about this and...and so on, and it was fully discussed, I beg to differ with you. What DOT discussed in the committee hearing was the increase and the redistribution of the Motor Fuel Tax, not the sales tax...not the sales tax portion, the Motor Fuel Tax only. Senator Rigney, if you think the state has taken a hit, think about what the municipalities and the counties and the townships have taken over the past four years because of this mistake, and it was a mistake. Let me read to the members of this Body the fact sheet that the road contractors who beat this bill down in the House last year passed out to each member of the House. It says specifically...and, Senator Schaffer, you should listen to this because you said that everybody knew about this and all the parties that were involved knew about it, the road contractors say to the House members, "Despite the fact that some of the sales tax transfer through the new Motor Fuel Distribution Formula in 1983 was unintended, the fact remains that any reduction in funding including the sales tax will cause a reduction in the highway program." The road contractors who benefit mostly from this staying

with the state, they admitted that it was unintended and they were a party to the negotiations, you can bet on that. The Senate Township Task Force, which went out all over this state, has endorsed this proposal. I personally went to my superintendents of highways and the mayors in my town and put up this proposal against what's being proposed in the new Motor Fuel Tax package for locals, and there's no comparison but what the locals benefit much more under this proposal. Sure, there's another package out there, but you better be sure the nine and a half cent Motor Fuel Tax is going to pass if you want the locals to get that share. If you're not sure and you want the locals to get their fair share, you better support this bill because this is the only one that's going to give it to them. I would ask for your favorable support.

PRESIDENT:

Question is, shall Senate Bill 34 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 24 Nays, 2 voting Present. Senate Bill 34 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 43. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 43.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill at the moment does nothing, it is a vehicle bill sponsored by myself and Senator Maitland. There's discussions going on with the Governor's Office and the

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financial people to explore permanent funding mechanisms for the school abatement process. I would ask for an Aye vote. If something is developed, we'll see the bill back after it gets to the House.

PRESIDENT:

Question is, shall Senate Bill 43 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, 1 Nay, none voting Present. Senate Bill 43 having received the required constitutional majority, declared passed. 63, Senator Kelly. On the Order of Senate Bills 3rd Reading is Senate Bill 63. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 63.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. This legislation, I'm sure we're well aware, is intended to prevent the schools from issuing contraceptive devices to students. There was an amendment which Senator Berman offered last night that was adopted which provided parental consent, Amendment No. 1, and Amendment No. 2 prevented abortion counseling or abortions from taking place in these health clinics within the schools. The legislation is watered down from what the sponsors intended. I know that there are some here that have a very deep moral problem on even supporting this legislation with the amendment on it, but it's still...we would like to advance this legislation and...continue deliberations. And I know that the Illinois Right-to-Life Coalition and the Catholic Conference are still in support of

it. I would solicit your support.

PRESIDENT:

Discussion? Senator Hudson.

SENATOR HUDSON:

Just a short statement, Mr. President, thank you. I think the debate last night covered most of the points. I would, just for the record, have a word or two to say. This is not the same horse that Senator Kelly and I rode into the Chambers with a few weeks ago. I think the amendment placed on it last night really crippled it, but rather than take Old Paint and shoot it between the eyes like they used to do in the western days because it is crippled, it is our choice at this point to...to see...we'll...we'll let Old Paint live awhile and see if we can't get that injured leg fixed up. I...I'm going to make this statement though, and I've told Dick this and I've told other people that are interested in this legislation that if the amendment stays on, I will not support the bill. In other words, when it comes to final vote, and I think we'll see it again in one form or another, I will not support it with the amendment on or any Conference Committee with the amendment on, that is where I stand.

PRESIDENT:

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I merely want to...ask...the sponsor a question for clarification, please.

PRESIDENT:

Sponsor indicates he'll yield, Senator Smith.

SENATOR SMITH:

Thank you. I...I...merely want to ask on Amendment No. 2, is it...is it right that you said that the amendment provides that there shall be no counseling at all in the school...in the clinic?

PRESIDENT:

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Senator Kelly.

SENATOR KELLY:

Amendment No. 2 prevents abortion counseling, in other words, advocating abortion or the abortion procedure within these clinics. It does not preclude a school from discussing the subject of abortion as long as it is not advocating it.  
PRESIDENT:

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

SENATOR KELLY:

Ask for your favorable support.

PRESIDENT:

Question is, shall Senate Bill 63 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 6 Nays, 3 voting Present. Senate Bill 63 having received the required constitutional majority is declared passed. Senator Fawell on 85. On the Order of Senate Bills 3rd Reading is Senate Bill 85. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 85.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. I...I think most of us know what this is. Basically what it is...is...it is...requires testing before marriage for the AIDS. I would like to give you some statistics that I learned yesterday when we were at...at the Abbott Lab. group. They now have a new testing device which is 99.85 percent accurate, so, in

other words, fifteen false positives out of every ten thousand and they have no false negatives. Babies that are born to such a union where one...or both people have AIDS, fifty percent of those newborns will have AIDS, eighty percent of that fifty percent will die of AIDS before they are two. By 1991, we will have 12.5 million people in this country it is estimated; out of that, one million two hundred and fifty thousand people will die. I have sent a...a copy of a...newspaper article around, I think if you will check that newspaper article you will see that Will County is saying, on an average that these tests are costing them about six dollars. With counseling, we...we figure that it will cost maximum thirty-five dollars. When I got married the syphilis test was costing me ten. I was not in the high risk group, I was still required to take that test. In comparison, this is a cheap test. If it will only take thirty-five dollars for the test and counseling and it can solve a hundred...save a hundred and forty thousand, I think it's a cheap...cheap. I would ask for a favorable roll call.

PRESIDENT:

Discussion? Senator Smith.

SENATOR SMITH:

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

PRESIDENT:

Indicates she will yield, Senator Smith.

SENATOR SMITH:

Senator Fawell, is there anywhere in your bill a statement stating the...confidentiality?

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

I have been assured by the Public Health Department that they have never ever allowed any...any test out as far

as...they have never had a problem with confidentiality, this would be covered by the same Statute and by the same set of rules.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

But you do not have it included in the bill as such?

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

If there is a problem with that, there is another bill coming right up after this which will certainly take care of it.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

I think that when we're dealing with a problem such as AIDS and it's widespread, I think that there is a common courtesy that is extended to the person and that these...that you are providing for now are people before they get married, and I certainly don't think that they would want that aired out in the neighborhood or out on the streets if they have to go through such a test. I think that's very unwise and I don't...I pray that we will not support this legislation.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

I...I have one question because I am really...confused about the...the whole action of the...of the committee's dealing with AIDS and their choices of bills they've got out here on the Floor. But I'd like to ask the...the sponsor a question. What is the...what...what is the objective of testing persons going for a marriage license versus those who go for...automobile license?

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Well, first of all, I think it's pretty obvious when you get married you presumably are going to do an act which will possibly pass the AIDS, that's not true if you're taking a...a car test. Let me give you one other statistic that...that Abbott came up with and that is single people, one out of every hundred now is...

PRESIDENT:

All right. Ladies and gentlemen, let me just again admonish you, it's approaching four o'clock. Senator Collins.

SENATOR COLLINS:

Now, I'm...I'm really serious about this, this is a serious issue and I would like for the sponsor to answer my question. She...she said that the reason that it is...you know, the difference between going to take a drivers license test and having to take the test for AIDS and going to get a marriage license test and going to...to test for AIDS is...is because of the act of married people and cohabitation. But then it is to say...if we pass this bill out, it is really hypocritical 'cause it is to presuppose that everyone who goes to take a marriage...to go and get a marriage license or get married in this country are those persons who had never actively engaged together in a course of intercourse. That is utterly ridiculous; I mean, let's face the facts. There is one value to this bill that you haven't bothered to sell and none of you talked about it...it just says how serious we are about this subject, and that is the possibility of these two people never having children, that it may serve that purpose. But...but to play these games around here with...with the AIDS testing is just ridiculous. I think we ought to defeat this bill.

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3rd Reading*

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and...Gentlemen of the Senate, state law now requires a test for syphilis to get a marriage license, and that's not a...a deadly disease because the discovery of...penicillin has managed to curb it, but this is...we're talking about AIDS and it's deadly, let's go on and have a roll call and support the bill, we need it to save lives.

PRESIDENT:

Further discussion? Further discussion? Senator Fawell may close.

SENATOR FAWELL:

All right. First of all, let me explain, I'm sorry if you didn't understand. But what I'm talking about is the counseling should be given to these people for the simple reason that if they have children, that child will probably die, and they should at least be counseled what these odds are. I would like you to...to end up by telling you that in the U. S. News and World Report, seventy-seven percent of the people are for this, according to their...survey in...by April 1st; by April 15th, according to the Wall Street Journal, eighty-two percent of the people are for this bill. I think it's a good...bill and I would ask for your favorable.

PRESIDENT:

Question is, shall Senate Bill 85 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 9 Nays, none voting Present. Senate Bill 85 having received the required constitutional majority is declared passed. Senate Bill 100. On the Order of Senate Bills 3rd Reading, Senate Bill 100. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 100.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 100 has been worked on by the...this is the product of the Governor's Interdisciplinary Advisory Council on AIDS the medical and scientific community, and allows individuals to come in and be tested voluntarily and at the time of testing be educated and counseled regarding the disease and the possible consequences of a positive test results. It provides for confidentiality...of those test results. Also requires written informed consent before a test and that...that would accompany all the blood specimens throughout the laboratory process, it...permits...disease prevalence testing that is not for individual detection and diagnosis and exempts testing for research purposes from consent requirement if it's conducted in a manner that prohibits disclosure of the identity of the test. This bill passed out of this General...out of this Body 55 to nothing last Session and was stymied in the House. California, Florida, Idaho, Oklahoma, Tennessee, Maine, Kentucky, Massachusetts are among the states that have this. It is just a bill that says to people, if you want to come in and be tested, we're going to give you counseling and education at that time and provide for the confidentiality of those results, and...and that permission will accompany all the blood specimens all the way through. And I would ask for your Aye vote.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall Senate Bill 100 pass. Those in favor will

vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 Ayes, 14 Nays, 1 voting Present. Senate Bill 100 having received the required constitutional majority is declared passed. 102, Senator Netsch. On the Order of Senate Bills 3rd Reading is Senate Bill 102. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 102.

{Secretary reads title of bill}

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This bill was the work of first the Subcommittee on Senior Citizen Tax Relief of the Revenue Committee and then ultimately of the Revenue Committee itself, and you will note that it is...the sponsorship is Committee on Revenue. It is our attempt to address the problem of additional help for senior citizens but in a highly responsible and very uncostly fashion. What the bill does in its present form is it addresses only one issue and that is the circumstance where there is a married couple, both of whom are over sixty-five and whose income goes just above the fourteen thousand maximum that the current circuit breaker program provides. We have had...it called to our attention that there often are cases where a small increase in social security or other retirement benefits will make it...will put that couple just over the fourteen thousand limit, and so what we have provided is that in those circumstances the limit will be raised to sixteen thousand dollars. We have conflicting fiscal notes on it because they're based on different premises, but the Economic and Fiscal Commission fiscal note indicates that the cost of the bill would be 1.6

million; the Department of Revenue is higher but we believe their's is based on too high an average grant, that is, that that would not, in fact, be the case, and even so it's...it's just four million. I should point out that we removed from the bill very reluctantly but did remove from the bill what we wanted to include which was an expansion of the pharmaceutical program to cover the equipment necessary for diabetic testing. That turned out to have a somewhat higher price tag than we thought could be absorbed, and so we removed that provision. If at any point during the Session it looks as if we could afford something more, we certainly would like to add that back in. In the meantime, it is a very, very uncostly bill but a very important one in terms of its principle. I would defer now to Senator Rigney to speak on behalf of...the rest of the Revenue Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well,...Senator, I'm glad you've got direction here, I had intended to have Senator Holmberg speak, but I'll follow your direction. Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, I might point out that there were probably upwards of about forty bills that came to the Revenue Committee this year seeking to give some type of tax relief. Most of those tended to be targeted upon the senior citizens' group. I know that it's very difficult on the Floor here to be asked to cast a vote against any type of a tax relief bill for a senior citizen. I think the leadership shown by Senator Netsch on this particular issue is certainly commendable because what we have done is to boil it all down to just one bill that's affordable, the price tag is probably less than two million dollars. It's a good concept, it targets on the people, I think, who really deserve some consideration, namely, those older couples. So, I think everyone is a winner here today, you've only got one bill before

you, everyone should be happy, including the Governor of this State, who I'm sure that on Senior Citizens Day at the State Fair he'll be right out there to sign this bill. We ask you for your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

I rise in support of this legislation and commend the Senate Revenue Committee for choosing this particular bill. I originated the bill two years ago in the General Assembly and it was held at that time because of the great number of high-rises for the elderly in Rockford that I had toured and at the end of each meeting with the seniors, the only people that would come up to me with the same plea were the married couples living in those particular high-rises, and in every case they had on a little piece of paper they had figured up their statistics for circuit breaker, and combining their two social security payments and whatever else little in savings and so forth that they had they were just over the mark. The single people felt they could make it and still make available to themselves the circuit breaker availability, they could get the half-price drivers license, they could get the pharmaceutical help. On the other hand, the married couples had double the expenses, two drivers licenses, two doctor bills, two kinds of pharmaceutical bills, and I think this is one of the most practical things that we can do, and I think your constituents will really thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Just a quick question of the sponsor, if I might.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR WATSON:

You mentioned diabetic testing, or at least our analysis talks about diabetic testing material under the drugs and equipment eligibility. Could you give me an example of what that might be and how is the pharmacist drug store to be reimbursed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

That is no longer in the bill, Senator Watson. We removed that because of the cost estimate, for the...for the time being anyway.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR NETSCH:

On behalf of the Committee on Revenue and those who would benefit from this, I solicit your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 102 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, none voting Present. Senate Bill...Senate Bill 102 having received the constitutional majority is declared passed. Senate Bill 108, Senator Netsch. Read the bill,...Madam Secretary.

SECRETARY:

Senate Bill 108.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 108 is a rela-

tively simple piece of legislation with a rather complicated history, I gather. What it does is to address an issue that is a considerable irritant to people who go to schools and are part of the schools in the City of Chicago. In every other school district of the State of Illinois the principal is in charge of each of the schools; in Chicago, by Statute, that is not true. The principal by Statute passed a few years ago is in charge of educational programs but is not in charge of the school. Obviously, it is the principal who in the end is responsible, who is held accountable by parents, by teachers, by the students themselves and the authority should follow that responsibility. I...the bill does nothing except make it clear that the principal is the one who is in charge of the operations of the school. I am, of course, aware of the fact that this bill is strongly opposed by the operating engineers, although the other group that is most affected, the lunch room people, apparently have not taken any position in opposition. I think the operating engineers in this case are wrong. I wish we didn't have to pass a bill in order...or try to pass a bill, I should say, in order to solve the problem, and I have encouraged them, I have urged them...and I...to continue to try to work out an amicable solution with the Board of Education but it has not happened. The situation where there is tension between the principal and either the lunch room operator or the operating engineer, the situation is intolerable. There are...the case histories are...are voluminous and really unacceptable. Graffiti on a wall, the principal asks someone to take it off and if there is not a cooperative relationship, that graffiti may stay on. Heat up, no, so the heat does not go up, various...many many, many unhappy circumstances. All of the arrangements are not that unhappy, thank heavens, many times the principal and the school lunch persons and the operating engineers get along fine and there is no problem, but when there is a problem, it

is absolutely unacceptable for everyone involved and that is what this bill is intended to address. It is extremely important to people in the school system in Chicago, it is part of the program of the Chicago Board of Education, it's supported by Citizens Schools Committee, by Chicago United, by the PTA, by every school group, the Principal's Association that I think exists. And I would strongly solicit your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Alexander.

SENATOR ALEXANDER:

Mr. President, I promise you I shall not be long. I am one of the hyphenated cosponsors of Senate Bill 108 and I carried this bill in the House last year. Everything that Senator Dawn Clark Netsch has referred to is quite adequate and true. To the members of this Body, when you send your children or have sent your children to school or your grandchildren in any district other than...the Chicago school district, if something goes wrong at that school, you do not go and seek out the engineer, you do not go and seek out the...lunch room management person, you go to the school to address the problem that may exist with the principal. And in instances where the problem has been caused or is being occasioned by confrontation between these other branches of management in the school, the principals of these schools are put at quite a disadvantage. We only ask you that have this privilege that would not permit this to happen in your districts to give us that same right. We urge you to help us give the right to the principals to control the school in a positive manner. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

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

rise in opposition to Senate Bill 108. My colleague, Senator Netsch, kind of sketched over the history of this legislation. This legislation has been before this body before and it has been soundly rejected. A similar bill is in the House, a tongue and cheek amendment went on, which I think kind of...illustrates the, pardon the pun, principle involved here, and that is that the...the...the House amendment provides that this legislation would become effective when, I think, half of the students and half of the schools in the City of Chicago can read at least one year below the grade level that they are presently assigned to. The fact of the matter is we have a few isolated instances where you have...probably personality conflicts between principals and engineers which would occur with or without this type of legislation and that is the basis. The principals in my district are not asking for this legislation, the principals in the City of Chicago have enough to do, they have enough to do without being concerned as to who is going to clean the windows or who is going to shovel the snow, it's being done, there is no problem. And I ask that this body reject this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Haitland.

SENATOR HAITLAND:

Thank you, Mr. Chairman and members of the Senate. You may recall, a couple of days ago I stood on this Floor and spoke strongly about the Chicago school system and how I felt about it and ways in which I thought we might be able to improve it. And it just seems to me that it's a reasonable thing to ask that there be somebody in charge of the building and the principal is the logical person to do it. We do it downstate, it works fine, there are problems in some areas in the city, and I think this is a bill that ought to be supported as a step...a move in the right direction toward

improving that system. I would urge your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis. What did you say, Senator?

SENATOR DeANGELIS:

I was...I had to wait to eat my apple because we had to ask the dietitian whether I could have it or not. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR DeANGELIS:

Senator Netsch, why is this legislation required?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

I think it's required because a...another piece of legislation passed some years ago, and I'm not sure I know the precise year, I think it may have been right before I came into the General Assembly or immediately thereafter, I believe it was before, in which the law with respect to the Chicago school system, that is the article that governs it was changed so that it is different from that which governs the school systems in the rest of the state. In other words, the...the word...it used to read, "Principals shall be employed to supervise the operations of attendance centers," and because of a battle that, to be honest, I know nothing about, it was some kind of an intramural battle up there, the word "educational" was added. And all I'm doing is removing the word "educational."

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Netsch, I have been in this Body for a long time, generally you have vast and thorough knowledge about things you speak of. And it would seem to me if this bill

was so important to you, you would know why you need it. And...well, the history that you traced is rather flimsy, I mean, kind of sketchy. You know, time after time...and philosophically I have no trouble with this kind of bill and you've seen me argue the same point before. Time after time we ask this Body to get into issues that local governing units should be handling themselves, particularly in the light that we passed the collective bargaining bill, and I said at that time that I opposed it because I felt even though we passed it, we had this other process running through and if at some point in the future that that bill kept that process from happening, I would sit here and eat my No vote publicly. But, you know, we come back here and come back here and come back here, the people that run these districts are not a bunch of idiots, and if they are, they ought to be removed and maybe we should be the governing body so we could definitely prove that idiots are running it. But I'll tell you, I don't know why we need this legislation. I really don't feel the General Assembly has any right to interfere with the way people want to run their schools.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

I just rise in strong support...of Senate Bill 108. If we are going to have uniform education across the State of Illinois, then Chicago must comply as all other school districts comply. This is a good piece of legislation. The educational leader, the principal of the school who is charged with those responsibilities should be able to run that school and run that school in the proper manner. Senator Dawn Netsch has the right idea, I know the operating engineers are lobbying hard against the bill, but if they were concerned about improving the quality of education and giving the principal the authority to run their school as it

should be run, then you would vote for this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Very briefly, if you read the state law, principals downstate can do this; in Chicago, they can't. Now anyone who has been here as long as some of us, and I'm in my eleventh year, knows that if there's something in the code that deals with Chicago schools, they wanted it that way. If Chicago had wanted it in the law that their principals ran it, it would have been put in that way. If the Chicago School Board would like to have the principals in charge, it can be done very simply; as they sit down at the bargaining table they say this is a nonnegotiable demand, we'll run it. They choose not to do it. Why do they ask us to do their work when they are perfectly capable of doing it on their own anytime they want to? What they are saying is, here, you guys go do the work for us 'cause we haven't got the nerve to do our own job. Why do you think the Chicago schools are in the wonderful shape they're in? The Chicago School Board, if they want to clean this up, let them do it, it is not our job to extend authority that they have not sought when they've had many opportunities to do it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

I...I...it's amazing, Senator Keats, and those of you on the other side who spoke yesterday and who voted on all these bills, not just the school board but you've just about done everything down here wrong for Chicago. Now you're saying, let Chicago do it for themselves; you know, that's a contradiction. I think this is a good idea, it is...it is something that we should have done a long time ago. I was amazed to

find out that...that the principals did not have control over their schools. This is a good piece of legislation, it is fair, it is what's done in all the other districts across the state, Chicago should have the right to do it also, be in control of their schools. That's what you said you wanted for Chicago and that's what this bill does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I...I listen to all these arguments and I guess we're just dealing with multiple realities. The bottom line is, the principal ought to run a school, thought that's...if you look up the definition of what a principal is, person that runs the school. I mean, I...I'm sorry, I don't know...you know, you have a different reality in Chicago but I think you're trying to come back to something I can relate to. In my district the principals run the school, end of discussion, the janitors don't tell them where to go, the bus drivers don't tell them where to go. Somebody runs the school, for better or for worse. If you get a good principal, you get a good school. I think it's a good bill, I don't know how anybody could be against it unless there's some agenda I,...well, I may understand it but I don't like it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in strong opposition to Senate Bill 108. And I would ask all those who are concerned, at a minimum...at a minimum, with the basic public policy of collective bargaining to honor the fact that this is a jurisdictional dispute again, and the Chicago Board of Education has the audacity and the arrogance to make this part of their legislative pro-

gram when the needs for that system are vast, and they're going to worry about this? I have personally told Superintendent Munoz, that if this is the major concern, we got serious problems in Chicago, I mean serious problems. We are...we are marshalling all our forces and working the Floor and having everybody get all excited about the fact that the operating engineers have under their contractual agreement the right to be supervised by someone other than the principal of that building. There's four hundred and fifty buildings, you're not going to tell me that a principal is going to be in charge of the maintenance and operation of the boiler, and you're sure not going to tell me that he's going to be...operate the lunch room because we've got a local union that operates the lunch room. But if this is the number one priority of the Chicago Board of Education in its legislative program, we're in serious trouble. I urge everyone to give this, as we did last Session, the kind of vote it deserved, it got 12 affirmative votes and it should not receive any more, it should receive significantly less for coming back.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch may close.

SENATOR NETSCH:

Thank you, Mr. President. I knew I'd get Senator Rock's attention one of these days with some piece of legislation. Let me make it clear that this is not the Chicago Board's number one priority. I hope I...they're doing a little work on it, although I don't see much sign of it. I'm the one who's been trying to pick up enough votes to overcome some very heavy lobbying which I fully concede is there and which has been very effective. It is the number one priority of a lot of people who live in my district and in the districts of a lot of other people in the City of Chicago. I don't think anyone here would want to run a school or be in charge of a

school if they did not really have the authority to determine what had to happen. That is all this bill is about, the principal is the chief, as Senator Schaffer said, the principal should have the authority. Please vote Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 108 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 25, 3 voting Present. Senate Bill 108 having received the constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Request a verification of the affirmative.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A request for the affirmative vote has been requested. Will all the members please be in their seats. Will the Secretary read the affirmative role.

SECRETARY:

Alexander, Barkhausen, Brookins, Collins, D'Arco, del Valle, Donahue, Etheredge, Fawell, Geo-Karis, Hall, Holmberg, Jones, Karpiel, Kustra, Lechowicz, Macdonald, Madigan, Maitland, Netsch, Newhouse, O'Daniel, Poshard, Rigney, Schaffer, Schuneman, Smith, Watson, Welch and Woodyard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR ROCK:

Senator Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She has returned to her seat.

SENATOR ROCK:

Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra is in his seat.

SENATOR ROCK:

Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco. Senator D'Arco on the Floor? Strike his name from the record. You question any others? Madam Secretary. On a verified roll call there are 29 Yeas, 25 Nays, 3 voting Present...bill having failed to receive a majority vote is lost. Senator Netsch seeks leave of the Body to put on postponed consideration Senate Bill 108. Hearing no objection, leave is granted. Senate Bill 117, Senator Demuzio. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 117.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

...Mr. President, Ladies and Gentlemen of the Senate, this is Senator Etheredges' and I concept about creating the Illinois Water Pollution Control Revolving Fund Act. It increases the bond authorization to trigger in the three hundred and fifty million dollar Federal dollars for...sewer and water projects throughout Illinois. It does call for increasing the GO bond authorization, not Build Illinois, but I suspect before the end of the June 30th that that will be the major source of contention. I would ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 117 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that

question, the Ayes are 51, the Nays are 2, none voting Present. Senate Bill...117 having received the constitutional majority is declared passed. Senate Bill 130, Senator Welch. Senator...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 130.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill concerns the advertising of public utility companies. After negotiating for several weeks with various utility companies, we have come up with an amendment that's been agreed to, and I know of no opposition. What it does is require the public utilities to list their advertising expenditures annually and specify which were included as operating expenses in the lapsed rate case. The utilities provide copies or photographs of each ad and list the amount spent for newspaper space in a supplement to its annual report. The utilities inform their customers at least once a year that such information is available or mail it to them once a year. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Macdonald.

SENATOR MACDONALD:

Yes, Mr. President, I rise in opposition to this bill. A utility must currently file an annual report with the Commerce Commission under Section 9.225 of the new Public Utilities Act which adequately defines standards that the Commerce Commission may rule on. This...since they already have to report, this is just costly and I think unnecessary, and what's more, Wisconsin passed a similar law which created

excessive problems and was eventually repealed. I just hope that Illinois does not follow in the same footsteps. Out of fifteen thousand four hundred and twenty-three complaints that the ICC received last year, only two of them had to do with advertising.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR WELCH:

Well, in closing, let me just say that Senator Macdonald has made exactly the point that led to this bill. People don't know what is being spent on advertising for utilities. Every one of us, I think, has been to a meeting somewhere where...where constituents have said, you know, why are we paying for these utility companies to advertise on TV or radio telling us to use more energy. It doesn't make sense, and that's what the purpose of this bill is to let consumers find out. Every single utility that we dealt with on this came up and agreed to this amendment, they had no problem with this, so I'm quite surprised at the opposition to this. I think that this is a good bill, it will inform our constituents and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 130 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 14, none voting Present. Senate Bill 130 having received the constitutional majority is declared passed. Senate Bill 145, Senator Woodyard. Read the bill, Mr. Secretary.



REEL 67

ACTING SECRETARY: (MR. HARRY)

Senate Bill 145.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, members of the Senate. This bill was introduced at the request of IFT, IEA and the Illinois Community College Board. It would extend the state health insurance program to retired community college teachers of which at this time there are about seventeen hundred of these. These people...are in a rather unique position. Although they are members of the...the State Retirement System, they are not...automatically opted into a state health insurance program as other university people are. And one of the...one of the reasons for trying to do this, the community colleges have no mechanism to actually fund a group health insurance program at all, and...and, thus, for them to establish a program like that would require some kind of mandative property tax increase for them, and I don't see any members in this General Assembly willing to do that at this time. Central Management Services, as I'm sure you can see in your analysis, does certainly oppose this...this bill and primarily because of...of its cost. We did bring Central Management Services into the discussions that we had with the other three groups, and while agreeing in the concept that there is need in...in this kind...for this kind of legislation certainly because of...of the fiscal impact, they ended up certainly being opposed to it. We did try to work

out language with them, but we could never get an agreement on that. So that's basically what the bill does and the...genesis of it, and I would urge your support or try to answer some questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I'm reluctant to rise in opposition to this bill and...and my good friend, Babe Woodyard, but I think some things need to be pointed out on this issue. First of all, what we're being asked to do here is put into the State Employees' Health Insurance Plan people who are not state employees. Now the...the local school employees, IEA members, had the same problem a few years ago and they solved that problem by coming to the Legislature and we allowed them to take some of their pension funds to handle their health insurance for retired benefits. Many of us were very, very reluctant to do that, but I think there's a greater...at least there's a link between the state teachers' pension funds and retired state teachers. There certainly is no link between state employees and employees of community colleges. One of the problems I think that we're going to run into here, if we do this, it seems to me that the same argument can be made by IMRF employees all over the State of Illinois, that once they get to be retirement age they lose their health insurance benefits unless the unit of local government that they...that employed them has provided for coverage and that's what's happened here. The unit of local government has not provided health insurance for retirees, so they're coming to the state and wanting the state to pay the...the employer share of the cost here and I...I just think that this is a...it's something we shouldn't begin to do, and so I would stand in opposition to the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Watson.

SENATOR WATSON:

Thank you. Just a quick question of the sponsor. Where does Central Management Services stand on this particular bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Woodyard.

SENATOR WOODYARD:

Senator, I think I answered that in my opening remarks, they're opposed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR WOODYARD:

Well, thank you, very much, Mr. President and members of the Senate. I agree with Senator Schunzman's comments as to the fact that these people are not state employees, but remember also, they are in the University Retirement System. Now I don't know how we resolve this...this problem and...and get them into some kind of a health insurance program. I think it's...it's a little strange in the insurance area and particularly the health insurance area that a lot of...a lot of us were here in December and we passed what was known as the CHIPS, and if you think this bill has some fiscal impact, you wait till that bill...triggers in. We're going to be talking two and three hundred million dollars a year for that particular bill. This bill was designed to...to create a...a sense of fairness and equity within our...our University Retirement System and with our...within our state health insurance program and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 145 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?

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2nd Reading  
P.A.C.

Take the record. On that question, the Ayes are 42, the Nays are 12, 1 voting Present. Senate Bill 1-4-5 having received the constitutional majority is declared passed. Senate Bill 153, Senator Lechowicz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 153.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 153 is a product of probably...many of you when we're not in Session have visited either the senior citizens' lunch rooms or the civic meetings, and every group that I have addressed and explained as far as what transpired in the General Assembly, the senior citizens' groups, specifically in my area, both at the brickyard,...B & M Caprinica Center primarily on the northwest side have asked me one question. Since the license fees were raised, why can't we have our automobile rates as far as the reduction one half the fee for senior citizens for automobiles. I said, well, actually, we did provide that relief for you with the passage of the circuit breaker and if your income is less than fourteen thousand dollars, you are eligible if you fill out a circuit breaker form to also apply for fifty percent reduction in your license fees. In every one of the groups that I addressed, they said, we don't apply for the circuit breaker, we own our own building, we have a car and that car may be a bit older, the registration fees at one time were thirty dollars, they're now forty-eight and all I'm...and all that they were asking is I put in legislation, which this bill contains, for one automobile per household, that whatever their income may be, if they're senior citizens, they're

eligible for one-half the fee. Now, the question is, what's the percentage of senior citizens in this state who have an income of less than fourteen thousand? The figure that I've received when they...raised that question was that sixty-one percent of the residents of Illinois qualify under the current circuit breaker for license fees, but...but in reality only a very small percentage, even though they're eligible, fill out that form. That's the situation that's in my area of the City of Chicago, and I'm sure I'm attesting and bring out the facts, in many other areas throughout this state there are people who do not apply for the circuit breaker because they don't believe in that type of application or seeking relief, even though it's eligible, they're proud many...many respects. So...all this bill does is request that if you're a senior, you're eligible to have one automobile per household qualify for one-half the fee. I'll be more than happy to answer any questions or ask your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Mr. President, I'd like to get leave to be added as a hyphenated sponsor on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted? Hearing no objection, leave is granted. Senator Watson.

SENATOR WATSON:

Yes, sir, thank you, Mr. President. Well, this is the wealthy senior citizen's bill of the...of the Session, because, as the Senator explained, regardless of income...regardless of that senior citizen's income they're going to be eligible for circuit breaker benefit of the license plates for half price. Now I don't know if...how many of you saw the article in Newsweek which was several months ago that said that the wealth of this country and the concen-

tration of the wealth in this country is predominantly in the area of those people that are over sixty-five years of age. Now I don't have any problems with us doing what we can for those who are deserving and, as the Senator mentioned, the fourteen thousand dollar threshold...income threshold of those people who are now eligible, that's...that's fine. We just passed a bill, by the way, just a moment ago that raises that threshold to sixteen thousand and, of course, if that becomes law then the fiscal impact is even greater than...than we now have. But I think that we should help those people who need help, but this is a little bit going overboard, I believe. Now we just passed another bill which is going to have a fiscal impact of thirty-two million dollars on the Road Fund, that was the...the bill sponsored by Senator Poshard. The Department of Transportation has come before us now and said that the fiscal impact of this at fourteen thousand dollar income threshold will be roughly 16.7 million. So I don't know how many times we can raid the Road Fund and then expect the...the Department of Transportation and the state to continue to offer the services that we're demanding and our constituents are demanding. I...I just think that this isn't a way that we ought to be headed at this particular time and I would urge No vote. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Well, I think, Senator Watson, this in part illuminated the problem with this bill, the Clem Stone bill. But let's take it one step further, on line 27, it says, "Even the widow...widow or widower would be entitled to this type of consideration." This means that the old fella the second time around that married maybe the thirty-year-old chick that when he passes to the great beyond, she is still going to continue to buy half...price license plates. I think this is

absolutely ridiculous. Maybe the first thing we ought to do is start out by apologizing to my colleague, Senator Geo-Karis; I thought she had the worst bill I had seen this season, but I think maybe this one is even worse. This is a sixteen million dollar hit upon the Road Fund. My God, don't we want any roads left in this state? We're saying that this is a good expenditure of sixteen million dollars of our highway money. It deserves the three votes that we gave to...to Senator Geo-Karis yesterday.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR LECHOWICZ:

Thank you, Mr. President. Clem Stone doesn't reside in my district...and this is not a wealth...wealthy bill. The people that I represent are hard working people who may have saved enough to buy a home and are living on fixed incomes, and if you want to vote against this bill, you go right ahead and do so, it's your prerogative, but I, in good-faith...when I spoke with these people, their main concern was equity. They don't look for any doles, they don't look for any special programs or reliefs, they're very, very basic in what they expect as far as quality of life in this state, and it's available in other states, it's nothing unusual. Believe me, the people on the northwest side of the City of Chicago are not wealthy people and if you look at the figures, as I looked at the figures, twenty-five percent...twenty-five percent only of the residents of Illinois who are senior citizens have an income of over twenty thousand dollars. And if you go one bracket higher, the numbers fall off dramatically...dramatically and if you own any property, unfortunately, that is also...taken in consideration, it's a negative. This is not a get-rich bill, it's a bill of equity and fairness for people who have always paid their taxes. I

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3rd reading

recommend an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 153 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 20, 5 voting Present. Senate Bill 1-5-3 having received...having failed to receive a majority vote is declared lost. Senate Bill 170. Senator...Lechowicz seeks leave to postpone...put on postponed consideration Senate Bill 1-5-3. Hearing no objection, leave is granted. Senate Bill 170, Senator Jacobs. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 170.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 170 as amended establishes a procedure for layoffs of educational service personnel based upon seniority by category. Educational service personnel are the more than fifty thousand public school employees who serve in the capacity of secretaries, custodians, teacher aides, librarians and other. Under current law, there is no system for the order of layoffs of these employees. This bill puts a system in place for any reduction of these employees. This sets minimum standards only, allows for additional negotiations to go on in collective bargaining. The original bill prior to an amendment was opposed by the Illinois Association of the School Board. We did put on the amendment to state by category. Since that time I have not heard

them...so...from them, so I must assume that they are no longer in opposition. I would just like to add one thing that even in a union free environment, one of the primary basis is seniority. Seniority should be considered in any union free environment that you even consider. I also must remind this Senate that this being a "union free environment," that everything we do in this Senate from distribution of parking places to seating arrangements to office are done by seniority, and I urge your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, just a word or two. This bill was heard in our Labor and Commerce Committee and I think there are just a couple of points that should be brought to the attention of the membership. Unless the amendment changed this, we seem to be doing a couple of things. First of all, we're substituting the term "educational support personnel" for "noncertified employees." Now we're talking about janitors, cafeteria workers and the like, is that correct, Senator?

SENATOR JACOBS:

That is correct.

SENATOR HUDSON:

And then we are saying that seniority will govern in instances when these newly named educational support personnel employees, janitors, cafeteria workers, et cetera, are dismissed or removed, seniority will govern. The opposition which, I believe to be still there...now the Senator in good-faith has said it isn't, we take a little different point of view, it seems to be still there...on the basis that these employees already have the right to collectively bargain for this seniority dismissal program and the school boards, frankly, have been in opposition to it because they

feel that that right is already there, as I have mentioned, and this further restricts them in their administration of ordinary school processes. It takes away a flexibility that they've had when it comes to the handling of these particular types of people. So as far as I know, they are...they are still in opposition and I felt the membership should...should be aware of this. It seems almost to be a bill that is really not necessary and I would urge opposition to it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR JACOBS:

Senator, I'm glad you...you raised that point. In closing, I would just like to say that I stated at the beginning that the Illinois School Board Association had expressed an interest in needing an amendment because they had a concern about category, and since that time, they have not contacted me, so, therefore, I assume that they are not in opposition...it's an assumption, because I was not told, but I ask for your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 170 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 22, none voting Present. Senate Bill 170 having received the constitutional majority is declared passed. Senate Bill 172, Senator Netsch. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 172.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate bill 172 is the substitute for the CUB checkoff which was...could no longer be done because of a court decision. The text of the bill now really is the amendment that Senator Karpziel offered in committee and that was put on the bill on the Floor. It is not a checkoff at all. What it basically provides is that where a state agency has a major mailing which is defined in the Act, that information about CUB, which has to be approved by the interstate...by the Illinois Commerce Commission, can be included within that mailing. It probably is the only remaining way that we have to get access to any large group of people on behalf of CUB, and since CUB was created by us, with the belief that we could have a checkoff, I think we are required to find some substitute and this was the substitute that Senator Karpziel suggested. I would be happy to answer any questions; if not, I would solicit your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Well, I just rise to support this bill and say that I...I really think that Senator Karpziel came up with a...with an excellent compromise on this particular issue, and while we have not heard from the Department of Revenue or any other department at this particular point, but the logical department would seem to be the Department of Revenue, I still think that this is a...as I say, an excellent compromise and believe that it certainly should be supported.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Yes, I just want to say one thing further in that when we put this amendment on in committee, it has the agreement of both all the utility

companies plus CUB. It seemed like a very good compromise. We still at this point have not worked it out with any state agency to the satisfaction of the state agencies, but we are working on it and we do have...have made some very good progress and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in opposition to this bill. And I have to admit that out front, it's a little...yeah, personal, since I had one of these illustrious CUB directors who ran against me and who violated the state Statute and violated their own bylaws from the time...it says you couldn't be a candidate and be a CUB director but proceeded to stay a CUB director till after the March Primary. I have to admit that, yeah, I'm a little personal opposition. But when in heavens did we start having the State of Illinois enclose in a mailing something for someone else to raise funds for them? Now if you and I run for office to try to get something done or want to raise funds, we pay for it out of our own pocket. Why should the State of Illinois put out a mailing at no cost to a group which is a private group we have no control over? Their director is elected by a group within certain subscribed districts whose only purpose may be to try to reduce rates and I'm not sure they always do that. They do a lot of rhetoric but I haven't seen them be too successful. But why should the State of Illinois, particularly the Department of Revenue, which the biggest mass mailing they make is when they send you your income tax form, and ask yourself how many people who would get this mailing or this form enclosed with the income tax form that some people are going to get...confused and thinks it part of their income tax. Now this is a lot of baloney to ask the State of Illinois to pay

for the postage to send out a mailing for a private group. I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Donahue.

SENATOR DONAHUE:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Is there anything in this legislation that says that the information that is sent out to an area must pertain to that particular utility?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

No, quite the contrary, there is nothing substantive which can go in the enclosure. The Statute...the amendment which Senator Karpel had put on says, "An enclosure shall be limited to informing the reader of the purpose, nature and activities of the corporation," and informing them that it may become a member and obtain information. Other than that, no information about any particular matter can be included.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you. Well, I have a problem with this bill and I would stand in opposition only because there have been a few measures that CUB has introduced recently that would, in fact, increase the rates to some of my constituents and I find it that they are after one utility in this state, they are not in the best interest of the consumer and I would hope we could defeat this, this is the wrong policy.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Netsch may

close.

SENATOR NETSCH:

Yes, just briefly to address a couple of these points. First of all, CUB is not strictly a private group because it was created by us, that is, by the General Assembly. Second, there is no fund raising that can be done in the solicitation, that is absolutely not provided for. Third, the enclosure which has to be just informational about CUB is subject to approval by the Commerce Commission so that they cannot say anything they choose. It is not paid for by the state, there are specific provisions which require CUB to pay for the extra costs of the mailing and I would...I think it's the only way that we have really found, as Senator Karpel indicated, to meet an obligation that we really established for ourselves when we created CUB. I think it's a good compromise, I would solicit your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 172 pass. Those in favor will 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...the Ayes are 43, the Nays are 11, 3 voting Present. Senate Bill 1-7-2 having received the majority vote is declared passed. (Machine cutoff)...Bill 175, Senator DeAngelis. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 175.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. This bill has been on the Agreed Bill List three times, and pulled off three times and

I would like to know the phantom who's taking it off, 'cause let me tell you what this bill is intended to do, and if you don't think it does it, please rise and ask the question that's bothering you about this. Under current law, you cannot hold a referendum in a political subdivision unless there's an election in that subdivision itself. We had a situation in Lansing where a school district wanted to hold a referendum and was notified it could not do so because they weren't having a school board election; in the meantime, the polls are open because the community college is holding a referendum. And I received a letter from the superintendent and can I read this, it's only about six lines long?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, sure, Senator.

SENATOR DeANGELIS:

"Dear Senator DeAngelis, since there was no candidate on a ballot within our school district, our request for a referendum in February, 1987, was denied. However, every polling place in our district will be open because Thorton Community College is able to hold a referendum due to a Harvey Primary. Something is all mixed up, isn't it?" Now, whoever opposes this bill, I would like for them to draft a reply if this bill goes down; if not, I'll be pleased to agree with them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

The...the...the only point I want...that I want to make is that if you have...if you have a...an election and let's assume you have a referendum question in both the incorporated and corporated area, and let's say that election is for...let's say within the corporate area, let's say it's a...a school board election but the referendum, let's say, it's for the junior college district which is a much larger question and goes into the, let's say, the rural community.

So only those in the incorporated area will be voting on the candidates of the election but, yet, the referendum question will be on the ballot in the rural communities. So I was just wondering what incentive it is for those people to come out and vote in that election when there are no specific candidates other than the...the referendum on...on the...on the ballot?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator DeAngelis.

SENATOR DeANGELIS:

The irony of this...of the situation is that they can, in fact, have that referendum right now. These poor people can't. If one precinct out of any of the precincts in that subdivision is holding an election, that item will be on the ballot. Now these poor people, because their subdivision wasn't having an election, the Thornton Community College could hold the...the referendum but they couldn't.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I don't have any opposition to your bill. I just wanted you to sort of clarify that point because it just seems to me that when you...when you have an unincorporated area where you're only have...going to have the question of a referendum versus, let's say, the incorporated area where you have a...hotly contested election, you're going to get more voters that come out in the hotly contested election, thereby, a higher voter turnout on the referendum and a lower turnout, let's...for example, in the...in the rural communities and that's the only point I wanted to raise.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Was that a question or a statement? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I have joined Senator

DeAngelis on Senate Bill 175. I can attest to the local problem, it might be your district next time that has this. One of our intentions of having consolidated elections was to limit these referendums and to not allow them to have a referendum at a...a Primary or General Election, that would be going against what we intended to do. So I am...will support this measure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis to close. The question is, shall Senate Bill 175 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 2, 2 voting Present. Senate Bill 1-7-5 having received the constitutional majority is declared passed. Senate Bill 176, Senator Zito. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 176.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 176 should probably have been on the Agreed Bill List, it does exactly what the Calendar says it...does. It extends the period for conducting postregistration canvass from the three-day period, Wednesday thru Friday, and extends it through the weekend. Any of our good precinct captains in this Chamber know that...you catch most of your people home on the weekends and if your...poll sheets in the last election were like mine, I would venture to say that some of them go as high as fifty or sixty percent to...the problem after talking to a lot of...a lot of individuals involved in put-

ting those poll sheets together, circled or centered around the canvass and said, frankly, that from Wednesday to Friday, it was just not enough time to get the job done. So we're asking you to extend that. I don't know of any organized opposition and would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. May I ask the sponsor a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

You sure can.

SENATOR ALEXANDER:

Senator Zito, what is the estimated cost or fiscal impact that this will have for these additional days of canvassing?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, Senator, you, I understand, have filed a fiscal request and I will answer you by saying that it will cost thirty dollars a day for each canvass are which we presently pay them. I have not asked for any increase in the canvasser's fee.

SENATOR ALEXANDER:

What does that round out in figure with the present judges that are now assigned at the Normandy...what is the rough estimate multiplied by five additional days if this legislation passes?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, it's two additional days and according to the city...the Chicago Board of...the board's finance director of the City of Chicago it will cost approximately three hundred

and forty-eight thousand dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Alexander.

SENATOR ALEXANDER:

Is this...is this statewide additional days canvassing or just relating to the City of Chicago?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Yeah...yes, it's statewide, I wondered if we had taken that out but it is statewide.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Alexander.

SENATOR ALEXANDER:

May I ask one final question? Who would pick up this additional cost, each...county or board would be responsible for this additional cost to their boards and local election groups?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Each board would incur the cost.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 176 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 3, 3 voting Present. Senate Bill 1-7-6 having received the constitutional majority is declared passed. Senate Bill 187, Senator Berman. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 187.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr...thank you, Mr. President. Senate Bill 187...as it's presented to you today is nothing more than a vehicle regarding what we ultimately will look at regarding the School Aid Formula. I ask your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator DeAngelis.

SENATOR DeANGELIS:

I...I think I want to just rise to make a statement. I think this bill ought to be killed for one reason. When this Session is over with, we will be presented with either a new School Aid Formula or without one, and one of the things that happens around here is that votes are cast to support education but not cast to support the taxes that are necessary. I have to tell you, I do have a bill that has a tax increase in it but it also has a formula in it, and I would like to think that the best way to ensure that we adequately fund education is to ensure that we put the School Aid Formula in the same bill that creates the revenue, and that we do it all with one vote so that when we go back home and people ask us, did we support education, we can only give one answer. And, Senator Berman, I would like for you to just kind of Table your bill if you would because if...if we don't do anything about revenue, all we're going to do is keep the old formula going. So we won't need your bill. If we do change it, I would like to see it in the revenue bill and I do have one that has the revenue in it. So I would like for you to consider withdrawing it.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Whether we wind up with more revenue for schools or not, we're going to need a School Aid Formula. It may not be in the form we know it will have to be by June 15th or June 30th, but I don't see anything wrong with moving this bill out of here, continuing it on its way and somewhere on down the road we'll make that decision whether we're going to hold our schools to what they have now or whether we're going to give them more money. But I say in the process, let's get this bill out of here. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you, Mr. President. I agree with Senator Kustra, that's what we ought to do and, Senator DeAngelis, I'm really surprised and disappointed, I guess. We're all, you know, vitally interested in the formula. You've got bills, I've got bills, we've all got different ways in which we want to do this. We've got to work together, not against one another, this is a shell bill. We do this every year and we ought to pass this bill out of here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...the question is, shall Senate Bill 187 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 1, 3 voting Present. Senate Bill 187 having received the required constitutional majority is declared passed...187. On the Order of Senate Bills 3rd Reading is Senate Bill 192, Madam Secretary.

SECRETARY:

Senate Bill 192.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 192 is the...is the clean-up bill on the state's DUI law that we have been working on in conjunction with the Secretary of State's Office. In its current form, it is totally supported by the Secretary of State's Office. It makes several changes, requires the...the court to determine as a factor in granting a JDP, judicial driving permit, whether the petitioner has available alternative methods of transportation. The court cannot issue a JDP if it determines that there are alternative methods of transportation. Also, a condition and limitation of every JDP is that the recipient will not violate any traffic related laws, the state's attorney will be authorized to seek cancellation of a JDP if there is a violation. It clarifies that the state's attorney has a right to participate fully in a hearing on a petition for a JDP, requires the defendant who is found guilty of DUI to undergo drug and alcohol evaluation as a condition of requesting disposition of supervision. It requires the peace officer to confiscate a JDP if the holder is arrested for DUI. It is a clean-up bill. We are and have been...will continue to work with the Secretary of State's Office. I expect that there may be additional changes but only with the agreement of the Secretary of State's Office, and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 192 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are

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none, none voting Present. Senate Bill 1-9-2 having received the required constitutional majority is declared passed. Senate Bill 200, Madam Secretary. The Order of Senate Bills 3rd Reading, Senate Bill 200.

SECRETARY:

Senate Bill 200.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 200 is the legislation concerning reporting of state financed incentives to foreign firms. It had considerable debate on 2nd reading, was amended and reamended and I would like to commend both the DCCA, the Department of Commerce and Consumer Affairs and the IMA for their help in putting together what is now an agreed amendment. They now stand in full support of Senate Bill 200 as does the Illinois Federation of Labor. The amendment addresses Senator Maitland's concerns over the inclusion of US firms by exempting those firms from the scope of the Act. It requires DCCA, if practical, to include in its economic development study the following things: the number of direct and indirect jobs gained and lost, the effect on local and regional competition within the industry and the relationship of the fiscal cost of fiscal returns for units of government. It requires DCCA to transmit an economic impact study four times a year to the General Assembly, to the Economic and Fiscal Commission and to the Governor. I have also received assurances that next-day information summaries will be available following the consummation of any kind of incentive package to any member of the General Assembly from the Legislative Services Office of DCCA. It's doubtful if anyone up

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to now has had the base of information that would allow us to have an objective look at what these incentives are actually doing for economic development in Illinois. Jobs created through the front door of taxpayer financed incentives are certainly politically popular, but if we cannot measure the jobs lost out the back door by industry that is...excess capacity or foreign competition, we will never know if this cornerstone of the administration's economic development policy is actually working. Everyone here goes to the ribbon cutting, none of us ever goes to the plant closing. Informational mechanisms have been set in place in such policy areas as health care and education; yet, up until now, no mechanism existed for the fastest growing agency in State Government. This amendment takes a very small step towards gathering the type of information needed to hold our State Government accountable for its actions in this important economic development area, and I ask for your support on this important piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall Senate Bill 200 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59...on that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 200 having received the required constitutional majority is declared passed. Senate bills 3rd reading is Senate Bill 203, Madam Secretary. Read the bill, please.

SECRETARY:

Senate Bill 203.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 203 as introduced was very close to being a vehicle bill, it did do one thing. It provided that...the equalized assessed value of a parcel real estate is less than a hundred and fifty dollars, the county clerk "may" rather than "shall" declare imposition and collection of taxes not necessary. The amendment that was added on the Floor was requested by the...essentially by the YMCAs and what it did was to attempt to clarify what they felt had...should have been their tax status right along as not-for-profit corporations and made it clear that all of their...their property when they are providing services related to the goals of educational, social and physical development will be subject to tax exemption as they thought it always has been although they have been disputed in part by the Department of Revenue. It...the bill also makes clear that if there are any assessment years that are actually in litigation that this bill will not affect them. I don't like to do that by Statute and the bill does not do that. The bill is requested by the YMCAs throughout Illinois, is particularly important to one in Peoria and one in...in Rockford. It's requested by the Jewish Federation, by United Way and I would solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate bill 203 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. Senate Bill 203 having received the required constitutional majority is declared passed. Top of page 4, 205, Senator Netsch. On the Order of Senate Bills 3rd Reading, Senate Bill 205, Madam Secretary.

SECRETARY:

Senate Bill 205.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

...Senator Netsch.

SENATOR NETSCH:

I'd be happy to take the same roll call on this one. Thank you, Mr. President, this one is slightly more controversial. This is the partial public financing of the campaigns of Governor and Lieutenant Governor in the State of Illinois. The bill except for a few minor changes is...as the Legislature passed it last Session and it was admittedly vetoed by the Governor. What it does is to provide for a checkoff on income tax returns and to create a matching fund. When a candidate for Governor or Lieutenant Governor has qualified by raising at least one hundred thousand dollars in contributions of five hundred dollars or less, then...and chooses to accept public financing, then that candidate will begin to receive a dollar-for-dollar matching up to the limits that are specified in the bill, and those limits are expenditures of one million dollars in the primary and a million and a half in the general. The bill also puts limits on the amount that may be contributed to candidates of one thousand dollars per individual, five thousand dollars per corporation, union or PAC and, quite importantly, also, it limits the amount of personal funds that a candidate may use to finance his or her campaign. And, in addition, it puts expenditure...it limits on the amount that can be expended in the gubernatorial campaigns. I want to point out one very important thing that neither of those latter two restrictions, the amount of personal funds that can be used or the cap on expenditures can be done except in the context of partial public financing. That is the Supreme Court decision of...several years ago in Buckley versus Falao, so that this

is really the only way that we have to address a couple of problems that I think have really become the cancer of our elective system and that is the amount of money...the amount of money that has to be raised by candidates for major public offices which I think is a disservice to them as well as to the public, the amount that is spent which I think has become obscene in our gubernatorial campaigns as well as in many others. It is not perfect solution to all of the problems of financing public...major elective offices, but it is the only thing...the only thing that anyone has been able to think of that does restrict the amount of special interest money that goes into campaigns and that begins to put some kind of a limit on the amount that is collected and spent. I think it is an extremely important principle. I would be happy to answer questions and would obviously like your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I'm...unalterably opposed to this bill. I don't feel that taxpayers should pay for the cost of the gubernatorial elections. They would cost them about three and a half million dollars and I...I...I just don't feel right about it at all. We have been having checkoffs of...for really worthwhile purposes...comes to elections, I think we should be on our own. I don't think this is the right way to go and you're not going to...the fact that they spend a lot of money, we can raise it, fine, if we can't...but...your candidates haven't had any problem raising any money, so I'd...I'd like to say, I'm opposed to the bill and I hope I have enough votes against it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Well, it's that annual time again and my good friend, Senator Netsch, and I differ on this particular issue very deeply. For the reasons that Senator Geo-Karis stated and for the principle of not having individuals...taxpayers have to put their money forward to possibly campaign and put the...campaign that they may not want to even though it's a checkoff system, I...I just think the whole...the whole idea just flies in the face of...of what this country is all about and I'm unalterably opposed to this bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Netsch may close.

SENATOR NETSCH:

...thank you, Mr. President. The idea is really not new though, Senator Macdonald. We have been doing it at the presidential level for some time and I don't think that anyone feels that it's destroyed the system at that level. In addition, there are by now some seventeen other states which do provide for some combination of checkoff and partial public financing, and for the states that are somewhat similar to ours like Michigan and New Jersey it has worked very well. What it does is a couple of things, it puts a premium on collecting larger...or...smaller contributions from a larger number of people. It reduces the reliance on special interest contributions and it generally puts a cap on the amount of money that is spent, and I think most of our constituents are really getting very upset when they read about eight million dollar campaigns for a statewide office of which some sixty percent may come from special interests. That is not the best way for our free elective system to proceed. This is a...a process that at least meets a large number of those problems and I would strongly urge a Yes vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 205 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 24, 1 voting Present. Senate Bill 205 having received the required constitutional...majority is declared passed. Senate bills 3rd reading, Senate Bill 207, Senator...Madam Secretary, read the bill.

SECRETARY:

Senate Bill 207.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 207 would set up a vocational board, state run that would take control over postsecondary vocational education in the City of Chicago. Actually, what we are talking about here is Washburn Trade School, and to understand this, you have to understand a little bit of the history of Washburn Trade School. Washburn Trade School is the school where the craft apprentices attend...craft apprentices in the Cook County area and at one time there were over thirty craft unions being trained at Washburn Trade. Had a...nationwide reputation for excellence, constantly people would come and tour and review what was going on there and take it back to their own system. Washburn Trade School, as we speak hear today, has only six craft unions left. If something...does not happen, Washburn Trade School will not be operating at least as we know Washburn Trade School with craft apprentice programs next year. The...I...I suppose to understand...for

you to understand where I'm coming from on this or what the genesis of this legislation is it is necessary for you to understand how this came to me. And very simply, the electricians at Washburn Trade School in electrician class which is probably the finest...is the finest in the country, there's no question on it, I...I don't think anyone in...in the country would dispute that, the electrician's program ran into a conflict with the Chicago Board of Education and it centered on instruction and instructors and on programs but primarily on the assignment of two instructors who were by all...almost everyone's estimate or opinion, they were not really qualified to be there. The union people, the apprentice program...shouldn't say union people because the apprentice program is run by the contractors and the...and the union. They proffered two other instructors who were qualified, they engaged in a series of discussions with the Urban League and with some people from the Chicago Board of Education, that has gone nowhere, I have gotten involved in those discussions. I've had a meeting with the representatives of the Urban League, we have tried to come to some type of a...some type of a decision on this that would permit this thing to continue, we have gotten nowhere...up to this point. It is my hope that between now...if I can get this out of here between now and the day that Speaker Madigan would decide that he would not call this or whatever, that we could come to some type of...of an...an understanding. It's...it's...it's...really, it's just a shame that...that this institution is going through this and that it is not going to be there. Everyone...all the crafts are moving out, there are six left and it's all because of...of this...of these historical problems and it is not one-sided, there's no question about that. It has historically not been one-sided, I don't dispute that, but we are dealing with this now and to say that Washburn should close or to say that this is not

going...it just doesn't make any sense. So I would ask for your support on that basis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I rise in opposition to Senate Bill 207 and rise reluctantly. Senator Joyce and I have been talking about the Washburn Trade School and I agree with him that it should not close. However, I have a little bit different version of its history. The crafts have pulled out of Washburn Trade School because they wanted to pull out. They preferred pulling out to doing the opposite of what we...we have been requesting and the pullout was a response to some of the pressure from down here. The fact is that Chicago youngsters have not been able to get into Washburn Trade School only a few have been...been admitted. It doesn't have a real recruiting program. It distributes some literature and if a kid can pick it up, he might be able to get in but that's very...it's a rare occasion. Those...those crafts that chose to move out of Washburn chose to move out because it didn't want to comply. Any Chicago school ought to be available to Chicago kids first of all and if there is some residual reason for bringing youngsters in from the opposite side, then that...that's fine and let me tell you something. I wish I could get your attention on this because there's some very important things going on and they have to do with the erosion of a tax base. So those of us who are concerned about a tax, I'd like to get your attention for just a moment. Downstate, your youngsters in high school build houses as an exercise for high school. One of the ways that I got into this...this area at all was I read about one of those high schools that had been built and I thought it was a wonderful idea, but I wondered then why some of those were not being built by my youngsters in Chicago where we

have the need and where the need for rehabilitation and so forth is intense. Upon investigation, it turns out that our youngsters are barred from doing it, as a matter of fact, and the Board of Education was reluctant to take any such action. Going farther, we look at the Washburn Trade School which is the outlet and which is the trade's training institution that was run by the crafts up until that point. We found that, first of all, we could not get information out of that institution. I have letters from them when I asked them for simple enrollment and graduation certificates that they wrote back to say we're not required to keep statistics in that fashion. We went further, we went to the Federal Government. We went to the Federal Government and asked them to give the statistics. We got a runaround from the Federal Government. It...turned out that we had to go through the Freedom of Information Act in order to get normal statistics that everyone keeps. So, the fact of the matter is that this isn't the animal that it ought to be. Were it the training institution that was serving kids of the City of Chicago, I would certainly not be up here in opposition to my colleague, but that's the fact of life. So...if we now put a state board as an imposition between the training process and the youngsters who ought to get it, that won't be an improvement at all, as far as I can see. A city board would be the natural vehicle for this to happen. So I stand in opposition to this bill on those reasons. Thank you, very much. Urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? If not, Senator Jeremiah Joyce may close.

SENATOR JEREMIAH JOYCE:

...I would just say this that I have gone firsthand, I've gone to these apprentice meetings. I have talked to these minority students that are in the program. You have a program where there are people who are involved in it, who are

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dedicated, they are making a good faith effort to comply with what the law requires. Much of what Senator Newhouse has said has a historical basis. There's no question that there have been omissions and errors in the past, but here you have a program and people involved in a program who want to continue and want to do the right thing, and all I'm saying is if we don't do something, this program is going to close...Washburn will close and no one is going to gain from that. So I would ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 207 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. (Machine cutoff)...question, the Ayes are 46, the Nays are 8, none voting Present. Senate Bill 207 having received the required constitutional majority is declared passed. (Machine cutoff)...Bill 212. On the Order of Senate Bills 3rd Reading is Senate Bill 212. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 212.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Senate Bill 212 is a bill to allow municipalities to levy a tax that will be sufficient and only sufficient to pay for the cost of providing health insurance including reserves for self-insurance to the employees or retired employees of that specific municipality. This has come to me through some negotiations and some meetings and through the organization of the West Suburban Mayors of...of Cook and some of the collar counties to try to combat with the...the problem of rising costs of medi-

cal insurance. I would add several points that, A, this is permissive language. What it says is we will put this in tandem with the legislation we have already given...or the levy we have already approved for municipalities for their unemployment insurance costs and pension funds for police and firemen. You know, Federal legislation was passed in Congress last year or the year before that really has driven the local cost of health insurance for municipal employees up by permitting spouses and dependent children of employees who are covered by group health plans to continue those benefits. Second, I...I want to point out that the levy cannot surpass the actual cost of health insurance exactly as the legislation was passed for pension funds and the unemployment insurances. There's only two more points I want to make in my opening comments. The first is that when we talked in the last General Assembly about combating the rising cost of insurances for both our constituents and municipalities, I don't believe we adequately addressed that insurance crisis. We saw a number of pieces of legislation, we debated it extensively on the Floor of this Senate, but we really didn't do much to bring that cost down for the consumers back home and more importantly for the units of local government. But I can't help but remember the debate and all of us at one point or another jumped up and said where's the Illinois Municipal League on this? Where's the Park District League and...and some of the other units of local government, have they signed off on this concept for insurance? We were acutely aware of the problems that municipalities are faced with then with insurance, not to compound their problems or the thought of the problems with the shrinking Federal dollars, state dollars. I know I'm asking something that's a little difficult I guess to do. Several days ago though, you helped me pass Senate Bill 186 which provided our constituents a little relief on the tax...on the tax of the utility

bill, and several of you had suggested that maybe we were being hypocritical if we passed 186 because all we like to do is give tax incentives or tax breaks to our constituents and don't make up anywhere for the local unit of government to recoup those losses. Well, I have the courage to introduce 212. I think it's the...a good step forward to say that we will give permission to units of local government that on a local level want to make those tough decisions to raise that needed money. I'm fearful if we don't pass legislation like Senate Bill 212, we will be back here dealing with municipalities that cannot afford police protection and fire protection, and I would submit to you that's a much greater risk and a question that should not be...come before this Senate. Be happy to answer any questions and would appreciate your support of Senate Bill 212.

PRESIDENT:

Discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT:

Indicates he will yield, Senator Fawell.

SENATOR FAWELL:

...Senator, could you tell me, does this really constitute a...a tax increase without either a frontdoor or a backdoor referendum?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Well, Senator, I'll answer that honestly. There is no provision for referendum at all and I'm going to tell you why. When I talked to Senator Watson about our package of bills that...for the township task force, I suggested that the best referendum...at least my feeling is the best refer-

endum is those on a local level of back door where the local municipal officials need to explain through public hearings to their individuals in their communities of why are...why they need additional dollars or why they don't need additional dollars. What Senate Bill 212 says is, we will permit units of local government to go back to their constituents, their towns, their cities and say, look, folks, as we have done for pension plans and we...as we have done for the unemployment insurance costs, we're asking you that we levy...so we don't have to take those precious dollars out of General Revenue Fund, we will levy for the exact cost of health insurances. There is no voter approval, voter referendum outside of the participation that I would hope would be engaged between the local elected officials and that...their constituents.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you. That, I'm afraid, leads to my second question. Is there any tax limit on this?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Well, the tax limit is simply that...that the cost or the asking of the tax would not surpass the actual cost of the health insurance.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Well, to the bill then. You know, your idea is laudable and I understand what you're doing and I did support you in committee. Unfortunately, though, you know, I wish we had some kind of a referendum on this. If you could give me your word that if you got it over in the House that you would put

a referendum on it, I could continue to support it because I think it is needed. I don't think there's any...any doubt about it, but I think you're going to have a very difficult time, very frankly, getting it out of this Assembly without some kind of a...of a referendum and...and I would prefer a front door.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, I'll...I'll be brief. I think that I'd like to make several remarks. First of all, the sponsor mentioned that we have done this for other forms of insurance and he's right about that but, of course, there is a difference and the difference is that...that government mandates that cities must carry workers' compensation and unemployment compensation insurance, and it was for that reason and the rapidly escalating costs of those coverages that the General Assembly allowed a special levy to pay those costs. The fact of the matter is that health insurance costs are generally beginning to trend down. As we begin to control hospital costs and...and other medical expenses, many health insurance plans have seen cost reductions. The other point that ought to be made is that, yes, this is, of course, a tax increase without referendum.

PRESIDENT:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I'd just like to make a couple of comments, if I could. First of all, I guess, I...I would say to Mr. Schuneman that if it was mandated by the Senate and by the state, then where's the money? Because it's sure not being paid for by the state. Secondly, I don't know, I guess maybe a lot of the Senators here should look at their local officials and...and maybe kick some of them out,

because in our area regardless of what people think, even though the state allows for a tax increase, our area is very, very careful about whether they are going to go through with a tax increase or not. And just, finally, to the bill...or in relation to the bill, as we stated unemployment and workmen's comp. without the provision given by the state to pass that on, many of the cities in our area would have went bankrupt and I don't really like to urge for referendum...or bills that do not contain a referendum, but I think in some of these issues that are not controllable and insurance is definitely one of those that is not controllable, and I would disagree with Mr. Schuneman...or Senator Schuneman that the cost of the health insurance is going down, our's is still going up.

PRESIDENT:

Further discussion? If not, Senator Zito may close.

SENATOR ZITO:

Well, Mr. President and members, thank you, I appreciate it. I realize that it would be difficult and I knew that a number of you would jump up and scream about no frontdoor referendum to the voters. But let me suggest to you two things. Number one, we have already established precedent in this state to allow units of local government to do exactly the same thing for...unemployment insurance costs and the pension funds for policemen and firemen. Now, I know it may be a difficult...a very difficult concept but, Senator Schuneman, the health costs aren't going down in this state, you know that and I know that. They're not trickling down, they're trickling upward. We did not sufficiently address the insurance crisis in this state several years ago as we promised we would, and I'm going to tell you something, every one of our local mayors has said that, look, we cannot afford any more money out of the General Revenue Fund to pay for some of these mandated...we do not want to be confronted with

the loss of fire and police protection. We need to afford...we need to be able to find a mechanism to afford this; and it's kind of like the Fram oil filter commercial, either pay it now or pay it later, because if they don't get the tax or the levy and be able to do that on a levy rather out of the General Revenue Fund, I would submit to you that those taxes are going to go up anyway because sooner or later it's got to be paid. I would ask for your serious consideration. I don't think this is hypocritical. I think it's a good step forward to show that we're willing to permit local units of government to continue. Thank you.

PRESIDENT:

The question is, shall Senate Bill 212 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, there are 12 Ayes, 38 Nays, 5 voting Present. Senate Bill 212 having failed to receive the required constitutional majority is declared lost. 216, Senator Marovitz. On the Order of Senate Bills 3rd Reading is Senate Bill 216. Read the bill, Mr. Secretary.

END OF REEL

REEL 08

ACTING SECRETARY: (MR. HARRY)

Senate Bill 216.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 216 deals with an issue that probably have heard more complaints about from my constituents than any other issue and that is the...the monthly service charge which appeared on our utility bills not too long ago. According to the stated policy of the Illinois Commerce Commission, the fixed monthly customer or facility's charge is supposed to be based on the cost of the meter, the meter reading, the billing and the customer service; however, the Commerce Commission has allowed some of the utilities to increase their monthly service charge far beyond the reasonable levels in order to absorb the cost of nuclear plant construction. High monthly service charges hurt senior citizens and low volume users. This bill limits the monthly customer charge to fair and affordable levels and will lead to a reduction in the monthly charge for Edison and Illinois Power customers. The service charge for those of you who don't know is a flat monthly fee paid by utility customers over and above the charge paid for the usage of electricity. It's known also as a customer facility's charge and the access fee is paid monthly even if the customer uses no gas or no electricity service; even if they use no service at all, it's paid. Over the last four years in the variety of cases, the

Commerce Commission has steadily raised the monthly service charge. Let me give you an example. The Commonwealth...customer charge for homeowners has been raised in several installments, get this, from a dollar ninety-four in...let me see, I think that's 1981...1982...December of 1982, a dollar ninety-four to eleven dollars and thirty-one cents. That's...a dollar ninety-four to eleven thirty-one just for the service charge...the access charge. The Commerce Commission approved this series of increases based on a Commonwealth Edison cost study which...calculated the cost of customer services for new customers...new customers, nonexistent customers. Now, the study that they based this increase on assumed that all customers should pay as if everyone received a brand new meter and a brand new service line. CUB has estimated that the current charge allows Edison to allow...to collect four and a half times more money than it actually spends on providing customers with meters and service lines. The high monthly customer charge hurts consumers in three ways, and these are my last three points. First of all, small users, like senior citizens or single people...single-person households pay higher bills than they would with a reasonable monthly customer charge. The small user is hit the hardest. A high service charge disguises the actual cost of electricity usage. If the...if the monthly charge was set at a reasonable level, the kilowatt hour charge would be somewhat higher but people would work harder to conserve energy and, therefore, see a greater...savings. The...the fact is, there's no incentive to conserve at all because the high...high charge here. And lastly, the monthly charges...approved by the ICC are based on inflated estimates of the cost of the meters, meter reading and the service drop. This is a very reasonable bill and it just tells the Commerce Commission to...to base the...the service charge on the actual cost of the meters, the meter reading and the

service drop or the service lines to residents and the service operations, don't hide the cost of these expensive nuclear plants in a monthly service charge; and, again, it's gone from a dollar ninety-four to eleven...eleven and a half dollars in about three years and that's ridiculous. I solicit your Aye vote.

PRESIDENT:

Discussion? Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to this bill because under this legislation, in my...area and my district, it's an automatic increase of fees. In Central Illinois Public Service, right now we have a four dollar and fifteen cent service charge and it will have to be...it will increase to eight to ten dollars; for gas it's four dollars and seventy-nine cents and it also will increase to eight to ten dollars, and I'm not sure your...you had all your figures and all dealing with Commonwealth Edison, Senator Marovitz, but what about the other utilities in the State of Illinois?

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President and members of the Senate. Senator Donahue, you were right on target...and that's a good place to start. You get downstate, you get away from...from that one particular utility company, it does have some very adverse effects on...and all the rest of us in this state. First of all, the...the Legislature has no...no business, in my judgment, getting into that...that branch and...and the Commerce Commission is a...quasi-judicial branch of government and we need not legislate to that and I think that's wrong; but the fact of the matter is, these companies that are...that are charging the access fees are

charging them for a reason and they're charging it for those...those fixed costs and...and it's a level figure. Let me...let me recite to you how it would affect my district. Illinois Power now has a ten dollar access or facility charge. It would probably be taken back to about four dollars. For an average farmer...keep in mind once that ten dollars goes to four dollars, that cost then will be added to the kilowatt hour cost, so the companies that use a lot of power are going to find that their kilowatt hour is going to go up, it's a fact...I mean, it's a fact of life, we know it's going to happen. For a farmer who's drying grain, who has a bill that...that is in the neighborhood of twenty-five hundred dollars a year, you can see it raise about three dollars, admittedly...that's a guesstimate, Senator Marovitz, but these are concerns we have. The access charge...the facility charges are there for a reason. It's working. We need not legislate that issue at all.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Sorry. I rise in opposition to the bill for the very same thing. You may have a problem with your constituency with Commonwealth Edison but you're about to double...triple...quadruple in one instance in the area that we live in, Central Illinois Public Service and Central Illinois Light which cover all of my district except what the REA does, they presently have had their rates level for four years. It's four-fifteen for electricity for Central Illinois Light, four seventy-nine for gas; it'll go to eight to ten. Central Illinois Public Service is three eighty-eight for electricity, it'll go nine to ten because there's no...no provision for the Commerce Commission except one which may get some of your people, Northern Illinois Gas is a dollar ninety-six for gas right now, will go to eight dollars 'cause

this bill doesn't allow the Commerce Commission any latitude other than that, it's going to go up and I urge everybody to vote No or Present.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I find it quite interesting that the folks on the other side of the aisle, Senator Maitland...particularly, you're up all the time on bills that affect Commonwealth Edison and you never fail to defend them in this Chamber, but now when...when we're talking about something that...that Commonwealth Edison customers are paying more for, you're up being very concerned about...the customers in the southern part of this state. I think that's a little incongruous. I...I see folks over there constantly saying...voting to give Commonwealth Edison raises and defending them all the time, but then when the opposite comes around, they stand up to defend their own area, that's what we do over here quite a bit of the time but we never get any help over there and...and now you're so concerned about your own folks, why aren't you concerned about ours once in a while? So, I think, you know,...first of all, I don't know why the Commerce Commission gave the...gave Commonwealth Edison more than they asked for. I mean, that just doesn't make a whole lot of sense, so I...you know, I think...I think it's just...let's be fair about this for a change. Let's all try and help one another instead of...you know, you're all very protective when it's...in your court, but when it's in ours, you don't hesitate a bit to jump all over us and...and...and help the utility companies. So, I think we ought to be fair.

PRESIDENT:

Further discussion? If not, Senator Marovitz may close.

SENATOR MAROVITZ:

Well, I want to correct...certainly a...a...an incorrect statement that was made and that is...if this bill passes, there'll be an automatic increase. Nothing could be further from the truth and I would dispute that. There will be no automatic increase. There cannot be an automatic increase. Anybody on that side of the aisle should know that if there's going to be an increase, any power company has to go before the Commerce Commission, as you admit, and ask for an increase and justify that increase. There is no automatic increase as Senator Donahue intimated. Now, second of all, certainly there may be a rationale for a service charge, but the fact is, the rationale should not be to hide the cost of nuclear power plants and that's what's been happening. The fact is that these same power companies that you were concerned about, they can go in right now, today, and ask for an increase with or without this bill. All we're saying is, if there's going to be a...a...a service charge, a customer charge, limit that charge to what the...what the Commerce Commission says it's for, to the actual cost of the meter, the meter reading, the billing and the customer charge, that's all this bill says and I solicit your Aye vote.

PRESIDENT:

Question is, shall Senate Bill 216 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, there are 32 Ayes, 24 Nays, 3...2 voting Present. Senate Bill 216 having received the required constitutional majority is declared passed. 221. On the Order of Senate Bills 3rd Reading is Senate Bill 221. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 221.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As you're aware, this year we're viewing various options in terms of what should be our banking structure vis-a-vis the rest of the nation. We've had four options. Option one, which is always to do nothing. Option two, which is the House version, if it's sent to us, it's an immediate nationwide trigger next year. Option three, which is the Senate version that we sent there that says a nationwide trigger late ninety. This bill is option number four. What it says is slowly and selectively expand our region with states that we have something in common with. This bill, as you've noticed, sponsored by myself, Senator Rock and Senator Zito is that fourth option. The final solution, no, I'm not arguing it is or is not. What we're saying is, we'd like to continue the discussion in terms of what should be the status, do we want to go to wide open national trigger immediately, several years down the road, selectively advanced like this? Those are the three options that take action. The fourth option which is nothing is something that can be done...by the end of this Session. I would solicit your Aye vote.

PRESIDENT:

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I rise to speak against this bill. We already passed Senate Bill 990 which, I think, can answer the questions because it has a trigger date up to...1990 and gives the chance to all of our banks to get themselves in order and gear themselves up for the change. I don't think this bill

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is the proper vehicle and I rise to speak against it.

PRESIDENT:

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

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I conclude by saying this is one of the four options we offer. This is a medium range one rather than go for...four years from now or the proverbial next week, puts us in the middle, it's a gradual act. I'd appreciate your favorable action on this so we might continue this discussion. Thank you.

PRESIDENT:

Question is, shall Senate Bill 221 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, there are 25 Ayes, 30 Nays, 3 voting Present. Senate Bill 221 having failed to receive the required constitutional majority is declared lost. 232, Senator Luft. On the Order of Senate Bills 3rd Reading, Senate Bill 232. Read the bill, Madam Secretary...Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 232.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 232 is a product of the township officials and the State Board of Elections. The subject matter is the...is township caucuses. The bill set forth...sets forth a number of rules and...notice procedures that have to be in process; for example, it gives...there has

to be a thirty-day notice before a caucus. The township clerk must give notice to the chairman or members of the central committee that are obliged to report the time and location of the caucus. Twenty days before the caucus the township central committee chairman of each party must notify the township clerk of the scheduled time. A fair and impartial lottery shall be conducted of...of time and place if two or more caucuses conflict. We established in the bill caucus rules. We also established rules of participation and we established who may or may not participate in the caucus. I would attempt to answer any questions; if not, I would ask for a favorable roll call.

PRESIDENT:

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Senator Luft, in my part of the state we have gotten away from caucuses and gone into township primaries. Does this bill in any way negate that power that we've had in the past to opt to have a primary? As I understand the procedure that existed in the law...I believe exists in the law, that the party organization has to I think the October before the primary request a...caucus date to request a primary. Our...our caucus is...once you got to four or five thousand people in the room, they got a little unwieldy.

PRESIDENT:

Senator Luft. I'm sorry.

SENATOR LUFT:

It does not impact. I think a township that has fifteen thousand more...or more voters can opt out to have a primary. This does not affect that at all.

PRESIDENT:

Further discussion? Any further discussion? If not, Senator Luft may close.

SENATOR LUFT:

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3rd reading*

Just ask for a favorable roll...roll call, please.

PRESIDENT:

Question is, shall Senate Bill 232 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 232 having received the required constitutional majority is declared passed. 234. On the Order of Senate...236, Senator Demuzio. On the Order of Senate Bills 3rd Reading, the middle of page 4, is Senate Bill 236. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 236.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President. This is a...another pension bill. So, it should come as no surprise that I...I think our head pension expert on the other side of the aisle, I'm sure, will be up asking me some questions relevant to this. It is a...a bill that is for the state...teachers' system, state employees, State University of Chicago teachers'...it incorporates Senator Brookins', mine, Senator Jacobs', Davidson, Weaver, Vadalabene, Dunn...Ralph Dunn...of both 867 and 870...and I would be delighted to attempt to answer any of the questions that might be posed.

PRESIDENT:

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I...I don't plan to address any questions, I just want to make a few comments as the designated hitter here. I will try to make these com-

ments as brief as possible. This bill is one of...of those six that all add up to the almost one billion dollars in unfunded liability that we have been complaining about. One of the things that this bill does is recalculate the annual cost-of-living increases for pensioners and it applies that increase factor to the one-time benefits that were awarded just last year, so that significantly increases the pension costs. A few of the other things that it does, it provides in the state university system credit for two years of military service even though that service may have been...may have had no relation at all to the employment. In other words, if somebody spent some time in the service at some time and then later in life went in...into teaching in a state university, they're going to give them credit for that military time that they spent even though they may have never intended even to become a teacher at the time they were in the military. Another thing that I think is strange that...that we should be asked to do now is to postpone the deadline for early retirement for downstate teachers from June of 1990 to June of 1995. There are numerous reports that indicate that about 1990 and thereafter there will be a teacher shortage. Now the reason we allowed this early retirement for teachers was because there was...there was an oversupply of teachers and we wanted to encourage teachers to retire so the younger ones could take their place. Now, at a...here we are in 1987 and they're wanting to extend a deadline which is still three years away, and I think it's...it's wrong. I don't think we ought to do that. Another thing that was of interest, and this is the last point I want to make, a new...a new benefit...they now want to provide service credit for Chicago teachers who are on sabbatical, and, you know, we keep piling up these bills with new...new and...and creative ideas from year to year but they all cost a lot of money. I think we ought to hold this bill.

PRESIDENT:

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I just wanted to...I guess, I don't know, for the record...kind of frustrating. This is one of these compacted bills with a half a dozen in there. I...I was the sponsor of the original early retirement bill for teachers and I, obviously, would very much like to see it continued. I think it's been one of the success stories in Illinois education. I look at some of the other things in the bill and I'm afraid I can't support those. So, I guess I'm in the position of being forced to vote against a bill that I believe in and originally sponsored, and this gets me back to my original statement of a couple of days ago about compacted bills, and while I...I...I believe what's gone on in the House is where the major excesses has been and I...I think at that point I mentioned...incorrectly blaming staff on this side of the Rotunda for compacting bills, I meant the staff on the other side. Staff on this side, I think, is extremely competent and has done a good job and been responsible, but this is the classic example of one...one or two good things with a bunch of things, you know, you don't want to do, take it or leave it. I'm for extending early retirement, but if you give me a take it or leave it situation, I'm sorry, from now on, I leave it.

PRESIDENT:

Further discussion? Any further discussion? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. I'd like for the record to show that staff on this side of the aisle is quite competent as well and the staff on this side of the aisle followed direction of the entire committee and I...I solicit a favorable vote very well on this bill.

PRESIDENT:

Further discussion? Any further discussion? Senator Demuzio, you may close...he requests a roll call. The question is, shall Senate Bill 236 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 1 Nay, 24 voting Present. Senate Bill 236 having received the required constitutional majority is declared passed. Senator Schuneman, for what purpose do you seek recognition?

SENATOR SCHUNEMAN:

For...for a verification, Mr. President.

PRESIDENT:

All right. That request is in order. Senator Schuneman has requested a verification. Will the members please be in their seats. Mr. Secretary, please read the affirmative roll.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, D'Arco, del Valle, Demuzio, Dudycz, Ralph Dunn, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Luft, Marovitz, Newhouse, O'Daniel, Poshard, Raica, Savickas, Severns, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDENT:

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

SENATOR SCHUNEMAN:

Yes, Mr. President, Jeremiah Joyce.

PRESIDENT:

Senator Joyce is...Senator Joyce is visiting.

SENATOR SCHUNEMAN:

Senator Luft.

PRESIDENT:

Senator Luft is in his seat.

SENATOR SCHUNEMAN:

Senator...Berman.

PRESIDENT:

Senator Berman on the Floor? Senator Berman is waving...

SENATOR SCHUNEMAN:

That's all, Mr...

PRESIDENT:

...profusely. All right, the roll has been verified. On that question, there are 31 Ayes, 1 Nay, 24 voting Present. Senate Bill 236 having received the required constitutional majority is declared passed. Senator Demuzio.

SENATOR DEMUZIO:

...thank you, Mr. President. I just wanted to point out that I was the only one of the cosponsors of this bill that stuck with it. My other two ran out on me...apparently.

PRESIDENT:

241, Senator Welch. On the Order of Senate Bills 3rd Reading is Senate Bill 241. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 241.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill would change the law as to when a nuclear power plant could be constructed in the State of Illinois. There are two possible methods by which one could be constructed; number one, if the director of the Environmental Protection Agency finds that the Federal Government has identified and approved a technology or means for disposal of high-level waste or if this General Assembly

specifically approves the construction. This bill...has been here before. It has passed out of the Senate, and I would urge an Aye vote.

PRESIDENT:

Discussion? Is there any discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Just very briefly. One more time I would like to say that these are issues that belong with the Commerce Commission, and I cannot see why this General Assembly is taking over the responsibilities and trying to intrude upon the duties. We have neither the expertise nor the time and I think that it is totally wrong for us to take this approach and...I am opposed to this particular piece of legislation.

PRESIDENT:

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

SENATOR WELCH:

Mr. President, the Nuclear Regulatory Commission, a Federal commission, basically has the authority to determine when a power plant...a nuclear power plant can be constructed, but let me just say that this is a very major issue. This isn't the type of issue such as rule making or advertising or other system that should be left to the Commerce Commission. This is very important. This affects every single one of us. When a nuclear power plant is built, we've seen how costs get totally out of control. We've seen how...it affects the entire community. We've had debates over taxing bills affecting utility plant areas, and in...in closing, I'd just like to say that this bill is supported by both the Citizens' Utility Board as well as by the United Mine Workers, and I would urge a favorable vote.

PRESIDENT:

Question is, shall Senate Bill 241 pass. Those in favor

will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 Ayes, 16 Nays, 2 voting Present. Senate Bill 241 having received the required constitutional majority is declared passed. 242, Senator Kelly. On the Order of Senate Bills 3rd Reading, Senate Bill 242. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 242.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Senate Bill 242 is on the issue of day-camp counselor. It exempts individuals serving as day-camp counselors from the minimum wage law. I mentioned that there was an agreement reached by the Jewish Federation, the AF of L-CIO and the Department of Labor, and we adopted an amendment which deletes the provisions that allowed for the waiver of a minor's work permit. That's the agreement and I don't know of any opposition and I would appreciate your support.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall Senate Bill 242 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, 1...none voting Present. Senate Bill 242 having received the required constitutional majority is declared passed. 252, Senator Topinka. On the Order of Senate Bills 3rd Reading is Senate Bill 252. Madam Secretary, read it,

please.

SECRETARY:

Senate Bill 252.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, this bill which has kind of been juggled on and off the Agreed Bill List...it's kind of minor I think amends the Election Interference Prohibition Act to provide equal access to public facilities by the two leading political parties. It is absolutely moot on...on parties who are...are not in caucus towns and also, too, if a public facility...if...in a municipality...if they don't want to open it up to either...political party, they...they don't have to, and that's it.

PRESIDENT:

Discussion? If not, the question is, shall Senate Bill 252 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 252 having received the required constitutional majority is declared passed. 253, Senator Smith. On the Order of Senate Bills 3rd Reading is Senate Bill 253. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 253.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Yes, Mr. President and members of the Senate, Senate Bill 253 I'd like to have recommitted to the...Committee...

PRESIDENT:

The lady seeks leave of the Body to have Senate Bill 253 recommitted to the Committee on Public Health. Without objection, leave is granted. It's so ordered. 255, Senator Smith. On the Order of Senate Bills 3rd Reading is Senate Bill 255. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 255.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 255 does just what the Calendar reads. It came out of committee 9 to nothing and it was passed by the Senate last year by a vote of 59 to nothing. The purpose of Senate Bill 255 is to enhance the Federal Volunteer Program for Senior Citizens and the state's Community Care Program. The bill further attempts to save the taxpayers money by allowing volunteers to provide some of the services that the state finances for respite care, homemaker care or related services. This bill does not affect this year's fiscal year and it's only about seventy-five thousand dollars. I certainly ask your support.

PRESIDENT:

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I'm probably going to wind up voting for this bill as I did committee because I think the idea is basically good; however, what is oftentimes good in...in idea may not work

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out in practice. A similar situation in Florida is currently in the process of being repealed right now because of the cost involved. As amended, the cost is probably around two hundred thousand dollars a year. Again, I do appreciate what Senator Smith is trying to do. She is a good sponsor.

PRESIDENT:

The question is, shall Senate Bill 255 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 5 Nays, 2 voting Present. Senate Bill 255 having received the required constitutional majority is declared passed. Senator Barkhausen, 258, on the top of page 5. Senator Weaver, we've only got four more pages to go. Top of page 5 on the Order of Senate Bills 3rd Reading is Senate Bill 258. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 258.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 258 amends Article VIII of the Uniform Commercial Code to recognize and permit uncertificated securities and to create a set of rules to provide for their transfer. This was an agreed bill in committee, but it...the proponents of the legislation believe it is important just to take a brief moment to clarify a matter of legislative intent. A question has arisen as to what is included with...within the definition of uncertificated security which is contained in the new Section 8-102 (1)B. The definition says in part that an uncertificated security is an interest in property or an obligation of the issuer"

the transfer of which is registered upon books maintained for that purpose by or on behalf of the issuer" and which is "of a type commonly dealt in on security exchanges or markets." My understanding and our intent with this definition is that it does not include interest and obligations that are traded on commodity exchanges or markets for at least two reasons. First, such interest and obligations do not have an "issuer" as that word is commonly used in the securities industry. Second, interest and obligations that are traded on commodity exchanges are not "of a type" traded on securities exchanges. This is true even for commodity interest or obligations such as foreign currency commodity options which are similar to interest or obligations that are traded on securities exchanges. Futures options and options on futures that are traded on commodity exchanges are not "securities" in common usage or under Federal law. They cannot as a matter of Federal law be traded on security exchanges or...markets and they, therefore, cannot be "of a type" commonly dealt in on security exchanges. I thank you for your time and ask a favorable roll call.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall Senate Bill 258 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, none voting Present. Senate Bill 258 having received the required constitutional majority is declared passed. 275, Senator Kustra. On the Order of Senate Bills 3rd Reading, Senate Bill 275. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 275.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is the Regional Airport Planning Authority bill. What started out as a noise issue for four hundred and fifty thousand residents around O'Hare has become a much more complicated set of issues involving an overcrowded airport, near misses, operational errors in the skies around O'Hare. What this bill does is create a fifteen-member regional authority with two major purposes. First of all, to review and approve major capital improvements of two million dollars or more at Chicago's major airports, this would include new runways, runway extensions, terminals. I think what we must realize as we examine this issue is that the O'Hare of 1987 is not the O'Hare that many of you grew up with in the Chicago area. It has been expanding over the years; between '81 and '85 alone there was a forty percent increase in air traffic. Passenger volume is expected to increase by sixty percent in 1992. O'Hare itself projects nine hundred and twenty thousand operations by the year 2020. The number of operations today at O'Hare is seven hundred and thirty-one thousand, which means we have to find room someplace over the next thirty years for another two hundred thousand flights to come in and out of O'Hare. Right not, alone, we're doing fifty flights per hour every hour of the day. In peak hours, of course, it's a lot worse. So, I think you can understand why we're concerned. How do you expand an airport that is already surrounded by people, by homes, by businesses when you have to find two hundred extra operations? The only answer to that, I guess, is to condemn more land, bulldoze more neighborhoods and create more noise and more near misses up in the skies. The second purpose of the Regional Airport Authority is to act as a regional planning mechanism for the

decision on a new airport, what has been called a third airport. This...this authority can enable the development of that new major third airport in the Chicago...region, but you don't have to take my word for that, that is, my word for the need for a third airport. Congressman Richard Durbin of Springfield who serves on the Transportation Subcommittee of the Appropriations Committee in Washington has cited several reasons for the need for a third airport in the Chicago area. He said, the long-term solution to Chicago's air safety problems includes a third major airport. Or maybe you want to hear from the head of the Federal Aviation Administration, Admiral Donald Engen. During a recent Congressional hearing, he said that a third major airport is definitely needed in the Chicago area. Congressman Cardiss Collins called O'Hare's skies increasingly...unfriendly. She was referring to the fact that the number of near misses last year in '86 numbered somewhere around twenty-six. Maybe what we ought to do is look for a moment at who's against an airport authority. Milwaukee's Mitchell Field's Airport director, Barry Bateman, recently testified before the Chicago Association of Commerce and Industry, and he said that Milwaukee was the logical place for a third airport and, therefore, he was going to oppose a Regional Airport Authority. Well, it didn't take the AFL-CIO long enough...very long to figure out what was going on. The Sixth District Cope Organization recognized the competition from Milwaukee and in a recent position paper supporting this legislation, they said, "The potential for serious economic damage to the region is poised right on our own state's borders by Milwaukee's Mitchell Field." At this time, they are making a strong pitch for O'Hare overflow traffic. This could have a serious jobs impact. Ladies and gentlemen, the evidence is overwhelming in support of a third airport. The question then is, who will plan for it and who will begin talking about it. Whether you live underneath the

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approaches of this airport or whether you're interested in safety, I urge your Aye vote. I'll be glad to answer any questions.

PRESIDENT:

Discussion? Question is, shall Senate Bill 275 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 22 Nays, none voting Present. Senate Bill 275 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 276. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 276.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hall, for what purpose do you seek recognition?

SENATOR HALL:

Yes, I inadvertently made the wrong vote here. I'm opposed to that bill. So, please...

PRESIDENT:

The record will so reflect. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. This bill is described right in the Calendar. It limits the power of municipalities having more than five hundred thousand people seeking to acquire property by condemnation for airport purposes. What it says that if you're going to go out into the suburbs and take property, you have to get the permission of the governing authority. I would ask for an Aye vote.

PRESIDENT:

Question is, shall Senate Bill 276 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have

all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 22, none voting Present. Senate Bill 276 having failed to receive the required constitutional majority is declared lost. How 'bout preemption? You don't care about preemption? Oh,...should require thirty-six votes, no? Senator Lechowicz.

SENATOR LECHOWICZ:

That was the purpose of my light. I wanted to know how many votes it required,...I believe your ruling was absolutely correct.

PRESIDENT:

On the Order of Senate Bills 3rd Reading is Senate Bill 299...279. Senator Philip.

SENATOR PHILIP:

Yeah, I would like to ask...is it in the bill, Mr. President?

PRESIDENT:

Well, what is in the bill is what's on the...

SENATOR PHILIP:

...specifically preempted in the bill.

PRESIDENT:

Well, it...it...it limits the power of a municipality of more than five hundred thousand people. I mean, it...it's right on the face of it. Senator Philip.

SENATOR PHILIP:

Yes, is it in the bill? I'd like to see where it is in the bill. It doesn't specifically do it.

PRESIDENT:

Well, as...as opposed to a bill like 374 where it specifically says we intend to preempt, if you are taking away the power of a municipality, any municipality that's a home rule unit, you are preempting. I...I don't know what could be much plainer than that. Senator Davidson.

SENATOR DAVIDSON:

Parliamentary inquiry.

PRESIDENT:

Yes, sir.

SENATOR DAVIDSON:

Normally when we're looking at...at what's going to take a vote on a preemption...in all the year's I've been here, it's either the question has been asked or it is has been announced by the Chair prior to the taking of the vote that this is a preemption and will take an extraordinary majority, and since that was not asked or not stated by the Chair, I would ask that...that I would...yield to Senator Philip, they tell me.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, and I would like to refer to Chapter 1, the general provisions, home rule units language limiting or denying powers and it says, "Unless there is specific language limiting or denying the power or function, the language specifically set forth," and, quite frankly, it does not...does not do it in that bill.

PRESIDENT:

...well, the Chair is prepared to read the bill, and it says, "No municipality may acquire by condemnation pursuant to this section any real property located in another municipality unless you have the approval." Now, the...the fact is, that Chicago now has this authority and you're saying, no, you don't have this authority. I don't know what...how more...how much more specific one can be, and we discussed this, by the way, when this bill was up last year and the year before that. Yes, Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I believe you made your

ruling...

PRESIDENT:

Well, I...I...I...you know, I'm not throwing anybody a curve ball here. Senator Kustra was well aware that this was preemptive. We...you know, this...this is not exactly new on the horizon here. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. I...I would hope that somewhere along the line somebody would look at the Statutes and read them, quite frankly, but we...we will be nice guys, it's getting late, but I would like to move to reconsider Senate Bill 275...having voted on the prevailing side.

PRESIDENT:

That is in order. Senator Philip having voted on the prevailing side has moved to reconsider the vote by which...Senate Bill 275 was declared passed. Senator Davidson moves to have that motion lie upon the Table. All in favor indicate by saying Aye. All opposed. The Ayes have it. Motion to...to reconsider...motion to Table prevails. On the Order of Senate Bills 3rd Reading is Senate Bill 279. Senator Netsch, are you ready? Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 279.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This bill equalized the interest rate for overpayment and underpayment of sales taxes. When we did some shuffling around last Session, we ended up with the Department of Revenue having to pay a lesser amount of interest on overpayments by a taxpayer than is accorded to

the taxpayer who has underpaid. My recollection is that we passed an equalization bill three times last Session and it ended up in confusion in the House and so I think it never really got resolved. I think it is fair to equalize the underpayment and overpayment and this does so at one percent. Be happy to answer any questions.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 279 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 1 Nay, none voting Present. Senate Bill 279 having received the required constitutional majority is declared passed. 299, Senator Alexander. On the Order of Senate Bills 3rd Reading is Senate Bill 299. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 299.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Alexander.

SENATOR ALEXANDER:

Mr. President, Senate Bill 299 does not create...does not create a new publication requirement. It merely conforms that all elections shall clarify the law with regards to specimen ballots and the printing for election. I ask for an Aye vote on this bill.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall Senate Bill 299 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 4

Nays, none voting Present. Senate Bill 299 having received the required constitutional majority is declared passed. 300, Senator Watson. On the Order of Senate Bills 3rd Reading is Senate Bill 300. Read the bill, Madam Secretary.  
SECRETARY:

Senate Bill 300.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This bill was heard in the Elementary and Secondary Education Committee and was on the Agreed Bill List, and I really know of no opposition and don't know why it wasn't on the Agreed Bill List for...for today; but, anyway, this simply establishes a...a situation at which the present law allows and provides for in lieu of four half days two full days which may be devoted to parent-teacher conferences and still count as days for pupil attendance. This would...bill would make those same provisions apply to in-service training programs for teachers. This was brought to my attention by a regional superintendent in my area and a...a principal. It would give them more flexibility in planning in-service training programs. Be glad to answer any questions.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall Senate Bill 300 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 300 having received the required constitutional majority is declared passed. 310, Senator Etheredge. On the Order of Senate Bills 3rd

Reading is Senate Bill 310. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 310.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What this bill does is to mandate programs for those people in our school districts around the state that have been identified as gifted. There are several people that have said to me this is a great idea but your timing is...is terrible, that it would be better if implementation of the mandate were put off, and I am certainly sensitive to that...that suggestion and would be prepared to delay the effective date to that which is recommended by the State Board of Education. I'd be very happy to...to respond to any questions.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 310 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 310 having received the required constitutional majority is declared passed. 311. On the Order of Senate Bills 3rd Reading, Senate Bill 311. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 311.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Back in 1963, when we established gifted programs in Illinois, we established a reimbursement per teacher at a rate of five thousand dollars and that figure has not changed since 1963. What this bill does is to increase the reimbursement to eight thousand dollars per teacher. I'd be happy to respond to questions.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 311 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 311 having received the required constitutional majority is declared passed. Senator Topinka. On the Order of Senate Bills 3rd Reading, Senate Bill 314. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 314.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, the Legislative Commission Reorganization Act of 1934 is amended to provide that members of the Citizens' Advisory Councils appointed other than to fill a vacancy shall be appointed for a two-year term and that all members' terms shall expire on February 1st of...each odd numbered year. This bill has been up and down on an Agreed Bill List and it's basically to get more people into the system.

PRESIDENT:

Discussion? If not, the question is, shall Senate Bill 314 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 314 having received the required constitutional majority is declared passed. 355, Senator Poshard. On the Order of Senate Bills 3rd Reading is Senate Bill 355. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 355.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. Mr. President, there are some counties in the state who are considering a regional jail authority to accommodate two or more of the counties for purposes of more cost effective and more efficient operations in their jails. This bill will facilitate speedier and more cost efficient transportation of prisoners and so on. We did amend the bill to accommodate the objections to the bill earlier. The bill now reads that a person arrested will be taken before the nearest and most accessible judge in that county of the arrest except when such county is a participant in a regional jail authority in which event such person may be taken to the nearest and most accessible judge irrespective of the county where such judge...presides. I...I would ask for favorable support.

PRESIDENT:

Any discussion? If not, the question is, shall Senate

Bill 355 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 355 having received the required constitutional majority is declared passed. Senator Sam, 359. On the Order of Senate Bills 3rd Reading, Senate Bill 359. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 359.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 359 amended makes various changes relating to the Local...Local Library Act and the Library District Act. The language that could have resulted in a tax increase without voter referendum with the amendment has been removed. The Taxpayers' Federation has reviewed the bill as amended and...have...removed their objections to the bill and I'd appreciate a full...favorable vote.

PRESIDENT:

Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I just want to tell my side, this bill is now in good shape. The...there is a front-door referendum and I would solicit your Aye vote also.

PRESIDENT:

Question is, shall Senate Bill 359 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55

Ayes, no Nays, 3 voting Present. Senate Bill 359 having received the required constitutional majority is declared passed. 368. On the Order of Senate Bills 3rd Reading is Senate Bill 368. Read the bill, Madam Secretary, please.

SECRETARY:

Senate Bill 368.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Let me say from the outset that this is a...368 is a bill...attempting to deal with some of the problems of the homeless mentally ill and disabled. While we've taken out a lot of the...objectionable language in this bill through the amendment, this bill is still not in the form that...that we wish it to be, and I can assure you that we are continue working and negotiating on the bill and if it is not an agreement with the department nor if the money come forth to fund the community based systems for the homeless mentally ill, we will not move this bill out of the House. Our committee has not completed their work yet, so I'm asking that we just pass the bill to the House. It will be held there...and you have my word on it. So, I'll ask for a favorable roll call.

PRESIDENT:

Discussion? Senator Karpziel.

SENATOR KARPIEL:

Well, thank you, Mr. President. I was going to ask the sponsor several questions because, as she says, I don't believe this bill is in the kind of order that...frankly, I don't think it should be passed out of the Senate. There are still a lot of questions on it. There are still a lot of

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things that have to be worked out and I don't know that we should be in the business of passing bills out of the Senate that need as much work on as this one, but since we have her word that she would not move it in the House, I guess it's up to every individual to decide how they want to vote on it, but as it is, it is not a good bill.

PRESIDENT:

Further discussion? Further discussion? Senator Collins, you wish to close?

SENATOR COLLINS:

Favorable roll call.

PRESIDENT:

Question is, shall Senate Bill 368 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 19 Nays, 7 voting Present. Senate Bill 368 having received the required constitutional majority is declared passed. 374, Senator Kustra. On the Order of Senate Bills 3rd Reading, bottom of page 5, is Senate Bill 374. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 374.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. First of all, I would just like to say that...I know the hour is late, Mr. President, and I also know that I passed up this bill on Monday and that we could have run out of time and the reason we didn't is because you've made a commitment to get all the way through the Calendar again and I appreciate your

fairness for allowing me to do that. Secondly, this the last time, I think, I'll be up speaking on...on one of my bills and I...would ask your indulgence if I could present this bill to you, it's a very important piece of legislation as far as I'm concerned. I also think that it's a piece of legislation that has been misconstrued in many ways and misunderstood, and so if I might, I'll try to explain it to you and then, of course, you can answer any...or I...be willing to answer any questions. It establishes a state policy of no smoking in public places. The bill also allows for the establishment of smoking areas in public places. This bill, therefore, does not ban smoking as much...as much as it restricts it to certain designated areas in public places. There are no percentages dictated in this bill. The Cancer Society, for example, has offered to provide little umbrellas which a small cafe downstate, for example, would take and place on one table if it is its determination...that restaurant's determination that that's what they want to call a no smoking area. The bill says, "That existing arrangements in a restaurant shall decide for the restaurateur," he'll decide himself, "what's going to be smoking and what's going to be nonsmoking." It also exempts areas which would be difficult to administer, such as, factories, warehouses, enclosed offices, bars and taverns. The bill is not...it is not an antibusiness bill. There's only one association left that's still formerly opposed to it, but they didn't even testify in committee against this bill. The...IRMA, the retail merchants, they're neutral on the bill. The manufacturers, they're neutral on the bill. I even have a...a handout from Crane Chicago Business, seventy-one percent of small- and medium-sized business executives...seventy-one percent said they favored this particular approach. The reason the business community no longer opposes the bill is because it is a different bill than those that have been pre-

sented here before. It removes the authority of the Illinois Department of Public Health. That's been one of the big hangups in the past, that you had some bureaucracy that was going to be able to move into some small mom and pop cafe and start ordering around a restaurateur or ordering around a small businessman. There's no provision in this bill for that. This is a self-enforcing bill. The only thing in this bill that deals with enforcement is a provision at the end of the bill which says that an injunction could be had against repeated violations of the bill. So, why the need for the bill? And why such an incredible overwhelming response from the public? Ladies and gentlemen, a Gallup Poll just a couple of years ago found that eighty-seven percent of the people want this bill. They want a bill that restricts smoking, doesn't ban smoking but restricts it, designates smoking areas and designates nonsmoking areas. Well, I think the reason for that are medical and health and that's why I ask for your attention because I think it's very important. In September of 1935, the American Cancer Society issued results of a study which added conclusive proof to prior studies that involuntary smoking can under certain conditions cause cancer. In '86...December of '86, the US Surgeon General issued his report documenting the same evidence on the dangers of involuntary smoking. Nonsmokers exposed to other's heavy smoke in the same workplace absorb as much smoke as if they smoked two or three cigarettes a day. Let me tell you just briefly some of the toxic substances that are in secondhand smoke. It's worse than firsthand smoke because the filter on the cigarette catches the smoke if you're smoking the cigarette yourself, but once that smoke is out there, it has, for example, tar, the most carcinogenic substance, seventy percent more concentrated in involuntary smoke; carbon monoxide, 2.5 times greater; ammonia, seventy-three times greater. Ladies and gentlemen, forty-one

other states have taken action such as I'm asking you to take today. We're one of the few states that do not have any limitations. This bill is a...reasonable approach. I even submit to you that the day will come...the day will come when this piece of legislation will be viewed by its opponents today as reasonable, because out there in our communities, local governments are under pressure to consider ordinances, local ordinances, many of which are tougher than what I'm asking you to do here today. This bill has the support of the Cancer Society, the...Medical Society, the Municipal League, the Lung Association, the Heart Association. All we're asking for is a state policy which protects people, people who have special problems. I understand you've made commitments. I understand what commitments are in this business, but I suggest to you, it's very possible you may have made a commitment to a bill that doesn't exist. This is not the same bill as previous bills. Seven out of ten people, ladies and gentlemen, do not smoke. All I'm asking is that we give them a little bit of breathing room. Yesterday or the day before, I heard Senator Savickas talk about his child who is asthmatic. I've got a couple of those myself. They got it from me and there's a lot of folks running around with allergies. We're not just talking about adults here, we're talking about kids too. What's wrong with protecting them by simply saying that in certain designated public places you have to have a smoking area, and then you can have also nonsmoking areas; I mean, it's...I should say you have to have nonsmoking and then designate the smoking area as well. I think this is a very reasonable approach. I'd be glad to...answer any questions. I solicit an Aye vote.

PRESIDENT:

Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, how many votes are...are needed for this

bill? I believe it...it puts a restriction on home rule powers.

PRESIDENT:

You are correct and the Chair is prepared to rule that under the Illinois Constitution, Senate Bill 374 will require the affirmative vote of three-fifths of the members elected for passage, that is because it effectively limits the authority of home rule units to...to establish a scheme to regulate smoking in public places which would be less restrictive than that specified in this bill. It is...therefore, my ruling that this bill will require the affirmative vote of three-fifths of the Senators elected. Senator Dunn...oh, I beg your pardon. Senator Lechowicz, had you concluded? Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. I rise in support of Senator Kustra. I realize that the opinions are quite fixed. I merely point out to the Body, the hour is getting late, that the Surgeon General has stated quite clearly that secondhand smoke is harmful and that's the reason for my support.

PRESIDENT:

Further discussion? Senator Schaffer. Senator Schaffer, please.

SENATOR SCHAFFER:

Yeah, I was thinking about the same girl. A couple of just quick questions. One, we had discussed at some point...I happen to think...I'm a nonsmoker, I don't like smoke much myself, but I would like to see us moving in the area of encouraging restaurants to have proper ventilation and it would seem to me that we're better off, all of us, with...if there was an exemption from this requirement for restaurants that have...I don't know what you...how you define it, positive vacuum ventilating systems that will pull the smoke directly up and out of our lungs, I was wondering

if an exemption exists. The other thing I...a few days ago we, on this side of the aisle, had to go to one of those wonderful political dinners that all of us have come to love and I was sitting out watching that reasonably full room and wondering how you designate a nonsmoking area in a banquet hall where tickets are sold by table to seven or eight hundred people and some smoke, some don't...I don't know how you enforce that, I...I'm...I'm just curious.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. I think opinions are pretty well established. I move the previous question.

PRESIDENT:

All right, one more speaker and then we'll...let Senator Kustra close. Senator Jones, do you wish to be...all right. If there's no further discussion, Senator Kustra may close.  
SENATOR KUSTRA:

Well, thank you, Mr. President. If I could just answer Senator Schaffer's inquiry. First of all, this bill...this language was drawn up by the Illinois Restaurant Association. This is their approach to this problem. They have gone on record in favor of this bill. It is their language. The language specifically says that existing ventilation and existing barriers shall determine just what and how the restaurateur will decide what is smoking and what is nonsmoking. I solicit an Aye vote.

PRESIDENT:

Question is, shall Senate Bill 374 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 26 Ayes, 22 Nays, 7 voting Present. Senate Bill 374 having failed to receive the required constitutional majority is

declared lost. 385, Senator Poshard. On the Order of Senate Bills 3rd Reading is Senate Bill 385. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 385.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. Mr. President, this bill is a...a bill recommended by the Circuit Clerk's Association of the State of Illinois to assist the circuit clerks and those counties where a great deal of additional work is required because a prison or a mental health center is located in those counties. Those institutions directly influence the amount of workload within the circuit clerk's office of those counties and this would simply give stipends to help them hire additional work...workers to handle that workload. Ask for a favorable consideration.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 385 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 7 Nays, 1 voting Present. Senate Bill 385 having received the required constitutional majority is declared passed. Senator Jones on 413. We're at the top of page 6. Senator Weaver, we're creeping up on it. On the Order of Senate Bills 3rd Reading, Senate Bill 413. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 413.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. Senate Bill...413 amends the state employees', Chicago police, Chicago firefighters', Chicago municipal employees', Chicago laborers', downstate firefighters' Article of the Pension Code. It allows a State Policeman to retire after twenty-five years of service regardless of age if the redrawing from service is a result of stress related medical condition. It increased the retirement formula to 1.5 with the final compensation for cover the employees and two percent for uncovered the employees. It provides for a three percent automatic annual increase. It provides for a payment of credit interest on refunds or contributions to members who withdraw. For the Chicago police it provides a widow's annuity to those who were married after the policeman withdrew from service or had worked until age sixty-three if their marriage occurred at least one year prior to the policeman's death. It requires an audit of the funds at least once a year by independent certified public accountant and authorize the board of trustees to make their investments under the prudent pension rule. For downstate firefighters will require the revenue collected from the firefighters' pension tax to be levied by a municipality before or directly to the treasurer of the board of trustees within thirty business days of receipt of such funds.

PRESIDENT:

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is the last, I believe, in the series of jumbo pension bills. This one has the greatest impact on the state system. It calls for an increase in

the unfunded accrued liability of three hundred and sixty-five million dollars, annual cost of forty-one million dollars and has all these other pension systems, Chicago police, Chicago firemen, Chicago municipal, Chicago laborers and the downstate firemen all comingled into this great, wonderful Christmas package.

PRESIDENT:

Further discussion? Further discussion? Senator Jones, you wish to close?

SENATOR JONES:

Thank you, Mr. President. I just ask for a favorable vote on this legislative process bill.

PRESIDENT:

Question is, shall Senate Bill 413 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, there are 27 Ayes, 5 Nays, 25 voting Present. Senate Bill 413 having failed to receive the required constitutional majority is declared lost. 422, Senator Karpziel. On the Order of Senate Bills 3rd Reading, Senate Bill 422. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 422.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. I would like to turn the explanation of this bill over to...to Doctor Etheredge.

PRESIDENT:

Senator Etheredge, Senate Bill 422.

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END OF REEL

REEL #9

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the ground water bill which we talked about extensively the other day on 2nd reading, and it is identical to the bill that we passed earlier, 1482, and I would ask for a favorable roll call.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 422 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, 1 voting Present. Senate Bill 422 having received the required constitutional majority is declared passed. 434. On the Order of Senate Bills 3rd Reading, Senate Bill 434. Madam Secretary, read the bill, please.

SECRETARY:

Senate Bill 434.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. Mr. President, this bill would appropriate twenty-five million dollars from the Capital Development Bond Fund for local correctional facilities. There are sixty-one counties in the state presently that have substandard jail facilities and are mandated by the Department of Corrections to upgrade or modify those facilities and in some cases build completely new jails. The counties

simply do not have the money, they can't raise the local property taxes to do it. The Governor's Task Force on Jails recommended the approval of this twenty-five million dollar appropriation and I would simply ask for a favorable consideration.

PRESIDENT:

Discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Sorry...Ladies and Gentlemen of the Senate, first, I'd like to ask the sponsor if I could be a hyphenated cosponsor.

PRESIDENT:

All right. The lady requests leave to be added as a hyphenated cosponsor. Without objection, leave is granted.  
SENATOR DONAHUE:

And say that this is a very major problem in the rural areas and I would hope for your support.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have to stand in opposition to this...to this bill. I would point out two things to you. First of all, we are setting a new precedent via this bill because what we are doing when we embark on this program would be providing state dollars for projects which in the past have...traditionally been funded at the local level. And I would suggest that...also that this request for twenty-five million dollars in bond funds has an annual GRF impact of about two and a half million dollars. I would further suggest that the twenty-five million dollars is only the beginning. As Senator Poshard has talked about the problems very eloquently that counties down in his part of the state have had, I would suggest to you that there are counties...up in my area, as a

matter of fact, the two counties that I serve would also have an interest in this program. The twenty-five million dollars...I mean, once we get into this thing and...and get it rolling, we will find that there will be no end to it. I would ask for a No vote.

PRESIDENT:

All right. We have seven additional people that wish to be heard on this matter. Senator Keats.

SENATOR KEATS:

I'll be real fast and say, well, you ain't kidding, this one is going to be an unbelievable embarrassment once we start spending. There was an option that tied in committee on 4 to 4 with bipartisan support called privatization prisons could save us a fortune, give us better prisons, cut out the bond cost, tremendous potential, something we will see again this Session. It offers us an option with no capital cost up-front for us, no debt service, no obligations in terms of day-to-day care and a shared cost among many counties. A fantastic idea done in about thirty different states, we're just years behind everyone else on it. It'll be a way to save us a fortune.

PRESIDENT:

Further discussion? Senator Raica.

SENATOR RAICA:

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

PRESIDENT:

He indicates he'll yield, Senator Raica. Senator Poshard.

SENATOR RAICA:

Senator Poshard, would you be amenable to an amendment in the House adding Cook County in this provision?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Senator Raica, any county which is currently mandated to upgrade or renovate a jail is included in this provision. There are sixty-one counties and those areas of Cook County which are currently under the same mandate as any other county to renovate or modify the jail are already included in it.

PRESIDENT:

Further discussion? Senator Poshard may close.

SENATOR POSHARD:

Thank you, Mr. President. I just ask for a favorable vote.

PRESIDENT:

The question is, shall Senate Bill 434 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who...who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Ayes, 18 Nays, 1 voting Present. Senate Bill 434 having received the required constitutional majority is declared passed. Senator Fawell, 438. 422, Senator Netsch. I beg your pardon, Senator Fawell. Oh, you do wish it, I thought you waved me off, I beg your pardon. On...on the Order of Senate Bills 3rd Reading, Senate Bill 438. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 438.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

{Machine cutoff}...you, very much. Basically this bill does exactly what it says in the Calendar. We have some districts now that are coordinating the physical ed. classes along with the health classes, for example, one of the

letters that I got from District 41 says, "when our physical education staff teaches physical fitness and...conditioning, they also enhance that unit by intergrading concepts and practices pertaining to nutrition, skeletal, muscular systems, cardiovascular respiratory systems and et cetera." This...by no intention...means that we are going to displace or take the kids out of gym, that is not the legislative intent. We are not...we are not talking about taking the children out of gym to teach. It is an intergraded course and that's the way good teaching takes place. I would solicit your Aye vote.

PRESIDENT:

Discussion? Senator Mahar.

SENATOR MAHAR:

Will the sponsor yield to a question?

PRESIDENT:

Indicates she will yield, Senator Mahar.

SENATOR MAHAR:

Just for clarification, Senator Fawell. Will this diminish the number of hours that statutorily we have required to offer...elementary schools for physical education and health?

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

No, that is not the intent. The intent is that we...we'll be able to get some credit for this health courses as we are teaching gym. That's the best to teach and...and that's what the intent of the bill is.

PRESIDENT:

The question is, shall Senate Bill 438 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is over. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Ayes, 17 Nays, 1 voting Present. Senate Bill 438 having

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received the required constitutional majority is declared passed. 442, Senator Netsch. On the Order of Senate Bills 3rd Reading, Senate Bill 442. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 442.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The bill as amended would have the purpose of establishing an air toxic program which must be adopted by the Pollution Control Board. The deadlines were all removed from the bill by the amendment that Senator Macdonald offered. It is agreed to, believe it or not, by all of the business groups and the Environmental Council and I would strongly urge your support.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Just to echo what Senator Netsch said. Absolutely right, this is an agreed upon bill at this point and we urge your support.

PRESIDENT:

The question is, shall Senate Bill 442 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 442 having received the required constitutional majority is declared passed. Senator D'Arco, 451. On the Order of Senate Bills 3rd Reading, Senate Bill 451. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 451.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This amends the Public Aid Code to provide that the Department of Public Aid may pay up to eight hundred, now six, for funeral expenses; four hundred, now three, for burials and...up to one fifty for an outer container to maintain the integrity of the grave. I ask for a favorable vote.

PRESIDENT:

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, you know, I think it's admirable what the funeral directors try to do on public aid, the cost of burial; however, in my usual speech, there is a fiscal impact here of four million dollars annually which is a forty-eight percent increase, the cost is nonfederally reimbursable and, you know, we just keep adding up on our little calculator and I just throw that forward.

PRESIDENT:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I may have a conflict of interest in this legislation but I will definitely vote my conscience and I raise in definite support of it. Today the average cost of a funeral anywhere between twenty-two hundred to three thousand dollars. If just the cost involved in that is more than six hundred dollars with just the present fee. Today you cannot even operate a automobile or...or any type

S. B. 455  
3rd reading

of equipment, anything at what welfare is paying those public aid payees. Most funeral directors handle and bury welfare cases...public aid cases at a definite loss and they do it out of consideration for their fellow man. This is why it's even handled and, therefore, this justify the raise in this instance. PRESIDENT:

Further discussion? Senator D'Arco, you wish to close?

SENATOR D'ARCO:

Roll call.

PRESIDENT:

The question is, shall Senate Bill 451 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, 11 Nays, 1 voting Present. Senate Bill 451 having received the required constitutional majority is declared passed. 455, Senator Alexander. On the Order of Senate Bills 3rd Reading, Senate Bill 455. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 455.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. This is the bill I think many of you have been waiting for and have been receiving letters from your retailers and businesspersons throughout your district. The bill says merely that an employer shall be prohibited from requiring or demanding that current employees and particular employees submit to taking a polygraph test. I'm reading from the Illinois Business Advocate which did a bill analysis on Senate Bill 455, and I shall remain with

this document which is in opposition to my position, because I feel sincerely that I can answer their concerns and their cares. Why they say they need the lie detector test that is an essential, personal tool used for screening applicants for internal investigations. The financial institutions are complaining that they do sensitive work involving many things and they should have the right to have polygraph tests. The amendment what's was placed on Senate Bill 455 adequately covers their concerns with regards to financial institutions and institutions that handle monies...and anything of value, stocks and bonds. The Drug Enforcement Administration, DEA, says that over five hundred thousand to one million doses of drugs are stolen annually by employees of pharmacies and wholesale drug manufacturers and distributors. That, too, has been answered by the amendment which is now a part of the bill. In checking further, I learned that questions were raised and asked of me, what about law enforcement persons, would they be required to take the test? Some of you who are in the field of law and particular this...aspect of it should know that there is and there is a ruling in ninety-six Illinois Second 298 which was passed and heard in April 1983, by our Illinois Supreme Court which prohibits the testing of law enforcement agent persons in the State of Illinois. And those of us who are law and order persons know that our Supreme Court is the law of the State of Illinois as they have presented their opinion. I have shown this opinion to many of the legislators who expressed concern about it. There are some states, however, that can demand testings of their Federal, state and local county law enforcement agents but Illinois is not one them. There are certain...exemptions, prohibitions in the present bill of 455, I think, that should adequately and most assuredly satisfy the business community. Employers who use polygraph tests are saying to their...employees that they don't trust them,

they have poor employæ-employer relations and they want to low the cost of bounding or binding their employees. Many of our larger retail stores do not use this avenue, J.C. Penney and Sears and Roebucks are among the many big retail stores which do not require polygraph tests. For those of you who do not know further that our own State of Illinois in their collecting bargaining agreement gives the privilege to our state employees not to be bound or to take lie detector tests. All this bill is doing is saying that if I should go to McDonald's today to apply for a job, I should not have to take a polygraph test in a place like McDonald's. The limitations as to those persons who would be handling money, how much and where they would be required to take the test. I sincerely hope that you will give this bill consideration. It is a tool that is being used that are keeping many persons who in these many...minimum paying jobs from getting jobs and staying off our welfare rolls. I respectfully ask an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? There are at least three lights. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I speak against this bill. I can just vision someone going to work for a...a girls' school who's been a child molester. I can just envision someone who has been very good in jewel thievery applying for a job at a jewel store. I can just envision anyone who has a very bad background getting by with murder so to speak. I think...I don't...believe that it is...a complete test but it's better than having no test at all, and I think when you have sensitive positions, you've got to take some precautions and that's why I speak against this bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This measure was debated at some length the other day on 2nd reading. I voiced some objections to it at that time and those objections still stand. Now Senator Alexander, I think, has made an effort to put in in her amendment to this bill some exemptions to the polygraph testing, but it seems to many of us that no amendment language being offered is acceptable because it's...it really is unfair and impossible to pick and choose which industries should be exempt and which should not be exempt. As a matter of fact, it's...it's discriminatory and I...I think the fact that Senator Alexander has in her amendment cited five different situations where the polygraph would be permitted to be used indicates that there are situations where it is an essential tool. My point is that there are not only five but there are probably fifty more situations where the polygraph is a legitimate tool. Now what about a private security guard, for example? We've talked about security personnel in the public sector, police and all. I think they're...covered by law cases, but I'm talking about a...a bank security guard, for example, who is watching over millions of dollars and nothing I see in this proposed legislation would permit such a prospective employee to be given a polygraph test. And I think it's needed and if we...if we go this route, it seems to me that what we're doing is sending another signal to our businesspeople in Illinois that maybe this isn't the state that it should be as far as the businessman is concerned. I think it's a poor time; situations being what it is in our state, it's a poor time to send this message out to our businesspeople. So I would urge...I would urge each and every one of you to think hard about this and I would further urge that you vote No. I think it's a piece of legislation

that's not needed, and beyond that, I think is...sends a bad message to business in Illinois and, please, vote No on this thing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I just want to, I think, correct an impression that was left by the sponsor regarding the Supreme Court case in ninety-six Illinois Second 298. Senator, I have a copy in front of me and...and while you're correct that it does prohibit the giving of a test to police officers once they're police officers, nothing in this opinion prohibits police departments from screening applicants for the police department with polygraph. However, your bill would prohibit them from screening applicants as well as a security guard situation, and under that, I don't think it's...acceptable.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Dudycz.

SENATOR DUDYCZ:

Senator, I have a...somewhat of a problem with...the analysis. It says it prohibits...our analysis states that this bill would prohibit a person from requiring or soliciting a lie detector test as a condition of...of employment or continued employment. Is that...is that a correct assumption or...or...analysis?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

Senator, in many instances, if I would go and apply for a job today, I would have to take a lie detector test, and if my demeanor or my answers were not...proper to the person who I'm seeking employment from, I could be denied that employment. Does that answer the question?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dudycz.

SENATOR DUDYCZ:

No, Senator. Requiring is...is one thing and soliciting is another. I'm just wondering if...you know, I would agree with the requiring part of it, but I'm not sure whether I would agree with whether you should be able to be asked.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Alexander.

SENATOR ALEXANDER:

The...as I understand the bill, and I understand it, that a person...if I wanted to voluntarily...if I was an employee seeking for...the bill does not prohibit me, the employee, from taking a test if I voluntarily want to do so in the interest of the employer, but it's...merely says that I shall not as a condition of my employment have to take a lie detector test.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

So the intent of the legislation is that it...if someone asks you, you can agree and you would take it. This...this would not prohibit them from asking you to take the exam or the...the polygraph exam?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Alexander.

SENATOR ALEXANDER:

That is correct. It would not prohibit an employer from asking me to take the test, but it also would not be a bar if

I am already employed there or cause for my unemployment or termination of my employment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Well, in that case, I stand in support of this legislation, Senator. Personally, in 1971, I was a...as a Chicago police officer, I was required to take a polygraph examination and due to my nervousness, I failed that exam the first time and it took me six months of pleading and begging and...and...and fighting the system to retake the polygraph examination with the same company, different examiner and I passed the same questions. So I could see where there is a big discrepancy on...and they were trying to discipline me seriously way back then for infraction I did not commit. So I stand in support of this.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator...Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this and Senator Dudycz is absolutely correct. You know, sometimes that...you're forced to take these tests and you may fail them, you know, that they aren't always correct. You know, I...I wonder if they...finally if we keep passing all these, that every legislator is going to have to take one...so I tell you what could happen around here is that I read the paper the other day where they took a test of...urine of a horse and they found out he had AIDS. So you can't tell what might be going on around here, so I strongly support this bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Alexander may close.

SENATOR ALEXANDER:

Thank you, Mr. President. May I say to this Body who sometimes may have a...a...fought one way and were able to change, but in the Congress of our United States, there is a bipartisan group of over a hundred sixty members of that House who is...cosponsoring and advocating the Employee's Polygraph Protection Act. Many of these steps or whatever that are being charged to employees can be and are being caused by customers coming into a store, you know that as well as I do. If it was not, there would be no need to...hire security persons to walk around like they are a customer watching you as you do your shopping. Employers who need to protect their company assets can do so effectively without a polygraph test by good record keeping, attractive discounts, a healthy organizational client, a loss prevention system that protects their assets without abusing their employees, good management, senior management that is honest in the dealing with both their employees and with their customers. I ask you to pass this bill that we may continue to hire persons who want to work. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 455 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 16, the Nays are 39, none voting Present. Senate Bill 455 having failed to receive the required constitutional majority is declared lost. Senate Bill 456, Senator Degnan. On the Order of Senate Bills 3rd Reading is Senate Bill...456, Madam Secretary.

SECRETARY:

Senate Bill 456.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 456 as amended creates the Dietetic Practice Act. As suggested by the committee, we have amended a bill with...to take out the Weight Watcher's and Diet Center's objections. I believe there is no objection now to the bill, be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senator Schaffer is...is out of the Chamber; if we hurry, I think we can pass this bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

The question is, shall Senate Bill 456 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?...take the record. On that question, the Ayes are 55, the Nays are 2,...2 voting Present. Senate Bill 456 having received the required constitutional majority is declared passed. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

I just want to know if Senator Schaffer is getting weighed in?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senate bill...Senate bills 3rd reading, Senate Bill 478, Madam Secretary. Read the bill, please.

SECRETARY:

Senate Bill 478.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

*AB 484  
3rd Reading*

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the rewrite of the Podiatric Medicine Licensing Act. It has been the subject of extensive discussions between representatives of the profession and the Department of Registration and Education. I believe everyone is in agreement that this is a good bill. I would...I'm not aware of any opposition. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 478 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 478 having received the required constitutional majority is declared passed. Senate bills 3rd reading, Senate Bill 484, Madam Secretary.  
SECRETARY:

Senate Bill 484.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is the vehicle bill for the rewrite of the Unemployment Insurance Act that sunsets this year. Those negotiations are still going on and, hopefully, by the end of June, they'll be completed. The bills have to cross Houses now because the...obviously the negotiations were not completed by today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. The other day we discussed the workers' comp. Senator Poshard has stated this correctly. It is a vehicle bill, came out of committee with that understanding. I would suggest to my members perhaps that they vote Present on this. There's been no...no agreement reached yet, so I think that would be a judicious vote perhaps at this time.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

The question is, shall Senate Bill 484...pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 2, 17 voted...voting Present. Senate Bill 4-8-4 having received the required constitutional majority is declared passed. Senate bills 3rd reading is Senate Bill 487, Madam Secretary. Read the bill, please.

SECRETARY:

Senate Bill 487.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. First of all, let me say that Senate Bill 487 does not do what it says in our Calendar. It does not prohibit the use of gas stoves and gaslights and that type of thing. It did as originally drafted, but that part has been completely taken out. Senate Bill 487 is a JCAR bill and the rest of the bill just changes some of the different parts of the Energy Assistance Act, and I can read to you the changes if you're interested, but I know that the Democrat analysis has it pretty well spelled out as does ours. The only thing I do want to say that I know that in

the Democrat analysis is not so is that the ICC is not opposed to the bill nor are the...is the community action groups. The...a couple of attorneys...and an ICC commissioner came to my office and we worked out an amendment which...Senator Alexander put on in committee, and I also worked...we also worked out a...an amendment to take care of the problems that the community action groups had. And, at this point, I know of no...opposition to this bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. The remarks made by Senator Karpel are...are correct. The Illinois Action Commission are in support of this bill. I know of no opposition either. I would urge this side of my aisle to support this fine piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? If not, the question is, shall Senate Bill 487 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 4-8-7 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 496, Senator Savickas. 509,...all right. On the Order...on the Order of Senate Bills 3rd Reading, Senate Bill 496. Madam Secretary, read the bill.

SECRETARY:

Senate Bill 496.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, basically, it is a vehicle bill. I wasn't going to move it, but people with the...the RTA evidently lost their other bill and are...and they asked that I move it, so I'd like to move it out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Savickas has made it very clear. Senator...discussion? Senator Watson.

SENATOR WATSON:

Well, Mr. President, a great...great explanation...it did pass out of our committee on a...on a partisan roll call and...and a problem, from what I understand in the past and this is my first time of being on the Transportation Committee...but what I understand is that the RTA every year comes and does the same blessed thing. They come in on June 30th or June 29th or July 1st or whatever and slap down on us what their...what their agenda is. They don't go through the committee process, they just totally ignore it...the committee process. So, anyway, I think a Present vote or a No vote would be appropriate and let's just kill all the RTA bills. If they don't have a vehicle out there, let's just kill them all. Why not? Let's do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas, do you wish to close?

SENATOR SAVICKAS:

Yeah, well,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

...I think we should kill all vehicle bills then...that's all, you know, what's...that's...that's...kill them all,...or vote...out, one of the two.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 496 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 18, 4 voting Present. Senate Bill 496 having received the required constitutional majority is declared passed. 509, Senator Barkhausen. Senate bills 3rd reading is Senate Bill 509, Madam Secretary, read the bill.

SECRETARY:

Senate Bill 509.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 509 does three or four different things, all relating to the Criminal Code. It, first of all, provides that aggravated assault shall be a Class 3 felony when in the process of committing the assault the defendant discharges a firearm. Amendment No. 1 then added caseworkers and other employees of child welfare agencies or child care institutions licensed by DCFS to the protection for aggravated assault. And the Amendment No. 2 embodies a...the recommendation of the Greylord Commission prohibiting courthouse hustling and provides a business offense as opposed to a Class A misdemeanor as the Greylord Commission recommendation had included. And, then, Amendment No. 3 makes the penalties for failure to provide disclosure for judges the same as the penalties that apply to us legislators. Would be happy to answer any...questions and would otherwise ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I was worried that we would have to go home and I would have wound up siding with Barkhausen on that bill we passed together a couple of hours ago. But, thank you, Senator Barkhausen. This is a terrible bill. There are two provisions in here. The first part was fine and then he wanted to add some of this stuff that deals...either with an area that we have no control over and that is the enforcement of a Supreme Court rule that regards the disclosure of interest by judges. Now, ladies and gentlemen, the Supreme Court is totally competent of enforcing its own rules and this amendment has no power whatsoever. On the third item regarding the solicitation of business, I'm not sure it's going to be enforceable at all. I'd just urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

A clarification. The Supreme Court does not have enforcement powers. The U.S. Supreme Court, the State Supreme Court, in turns of removals, et cetera that action is not granted to a court...we have to remember that and to say that the branches can't work together, the Supreme Court has told us to do things on more than one occasion. I can remember one time here in particular where the Supreme Court ruled that our rules couldn't be done, ruled our rules unconstitutional a few years ago. It's not a question of statement, it's simply saying, Arthur, you're wrong, old friend.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Further discussion? Senator Barkhausen may close.

SENATOR BARKHAUSEN:

Mr. President, just to quickly answer the point about whether it is us or the Supreme Court that should be provid-

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2nd Reading

ing rules for judicial disclosure. The Section 2 in...in Article XIII of the Constitution and I'll read it, it's just one sentence. "All candidates for or holders of state offices," which presumably includes judges, "created by this Constitution shall...shall file a verified statement of their economic interest as provided by law." Well, this is that law or at least a recommended portion of it, and then Chapter 127 of the Illinois Revised Statutes Section 604-A-101 in Subparagraph E, "Holders of and candidates for nomination or election to the office of judge or associate judge are defined as persons required to file disclosure of economic interest." So...that is the law and we're merely adding to it to a very slight extent. I believe the...the recommendation with regard to courthouse hustling comes from...comes from a highly respected group made up of some of our leading citizens in the Chicago area who looked into the Greylord matter and...and made this recommendation and this is even a watered down version of...of what they recommended. So I think it's reasonable and ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is...the question is, shall Senate Bill 509 pass. Those in favor will vote Aye. Those opposed 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 28, the Nays are 15, 10 voting Present. Senate Bill 509 having failed to receive the required constitutional majority is declared lost. On the Order of Senate Bills 3rd Reading is Senate Bill 515, Madam Secretary, read the bill.

SECRETARY:

Senate Bill 515.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill provides consumers direct access to physical therapists without requiring their...referral from a physician, dentist or podiatrist. It requires a physical therapist to refer to a physician, dentist or podiatrist any patient who...any patient whose condition calls for treatment which is beyond the scope of their practice. It clarifies the Act so that physical therapy does not include chiropractic technique, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Topinka.

SENATOR TOPINKA:

Mr. President, Ladies and Gentlemen of the Senate, may I ask the sponsor just a couple of questions?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Sponsor indicates he will yield. Senator Topinka.

SENATOR TOPINKA:

All right. First of all, do physical therapists now have hospital privileges?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator D'Arco.

SENATOR D'ARCO:

I believe they do. No, they don't...hold it...no they don't, they don't have hospital privileges, no.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Topinka.

SENATOR TOPINKA:

Two other questions, but they're very brief. Do...are they covered under Medicare reimbursement so if someone does go to them they're not going to have to pay out of pocket?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator D'Arco.

SENATOR D'ARCO:

Yes, they are.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

I'm...I'm...trust what you say, you know, but I don't know that I necessarily agree with that second one, and the third thing, has this been negotiated out now where you've removed the objections of the Medical Society to it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

I understand they're no longer opposed to it, you know, but who...who knows?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR D'ARCO:

I mean,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...no, wait a minute. Senator Topinka.

SENATOR TOPINKA:

Well, again, I...I would trust what you say but I...I think I might question it also. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Merely for a point on...of legislative intent. There's an amendment here dealing with the privilege of the CPAs and as the sponsor of the original bill, this is merely a restatement of the legislative intent when we passed the CPA Licensure Act several years ago. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator D'Arco may close.

SENATOR D'ARCO:

Thank you, Ladies and Gentlemen of the Senate. This is a good bill and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 515 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. Senate Bill 5-1-5 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 519...all right, skip it. Page 7, 535, Senator Smith. On the Order of Senate Bills 3rd Reading, top of page 7, is Senate Bill 535, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 535.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 535 talks in terms of Hope School which was founded in 1957 as an alternative to the institutional placement for mentally retarded children with additional disabilities such as blindness and/or deafness are nationally and internationally recognized for its quality services. The school's adult unit was established to furnish care to those persons who became adults while at Hope. According to the school, these adults would have been institutionalized and left there if the adult unit had not been created there at Hope. The purpose of Senate Bill 535 as amended is merely to increase the Medicaid reimbursement of the adult unit at Hope School. Currently, the Department of Public Aid reimburses Hope School at sixty-three dollars a day for children and

thirty-eight...only thirty-eight dollars a day for adults. I'd like very much to have your consideration on this bill.  
PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this bill. If you want to realize how fortunate you are, I would recommend...you go out and pay a visit to Hope School. It happens to be located here in Springfield, Illinois. There's only one of its kind in the nation founded by parents of a blind, multiple handicapped child. It is the only facility in Illinois and the only one in the nation that has both blind and multiple handicapped requirement to be a resident. The people prior to this school sat somewhere in an institution and was a vegetable. I urge you all to vote for this. It will amount to a hundred and twenty-eight thousand dollars a year but, presently, very shortly because the amount of money that has been contributed is not keeping up with the additional costs that it's taking to operate this facility...the state or the parents or whoever contribute do not come near paying the cost of individual care, 'cause each client there has a two to three employee ratio to that one person and I would ask you all to put a Yes vote up, and if there's any one thing extra we can afford this year is the hundred and twenty-three thousand annual cost for this.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, I wonder if the sponsor would yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Sponsor indicates she will yield.

SENATOR FAWELL:

I have about five of these facilities in my county. I

have an Illinois Deaf-Blind School and you are talking about multihandicapped, these children are not only blind and deaf, several of them have cerebral palsy and other problems. I also have in my county the Mark Lund Home which is a profoundly handicap...we also have the Elaine Boyd Kress Home which is also for the profoundly handicapped...mentally handicapped. Is this...is this bill limited to just the Hope School or...you know, because my...frankly, my people are looking for help too?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. Senator Fawell, this...this bill is limited to Hope School, but it's limited to the adult not the children. These are adults that grew up there as children as multiple handicaps and they were getting the same amount of money as children were getting, but after they reached the age of twenty-one, they could no ways could throw those people out of that home...that nursing home, no way. So in order to keep them, they have to care for them, but they reduced their pay for taking care of them. They only get half and it's very difficult to try to take care of an adult and so this is merely...this money is only being confined to the adults who have grown up there as children and they are multiple handicaps, they cannot help themselves. I have been there, I've seen it with my own two eyes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay.

SENATOR SMITH:

And what they people are doing there is a tremendous job with what they have to work with.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell, your time has almost expired. Senator Fawell.

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SENATOR FAWELL:

Well, you know, I...that's exactly what I've got...Mark Lund Home children are now twenty-two, twenty-three, twenty-four, I have a twenty-two-year-old with a six-month mentality and I'm...you know,...I've got to find another home for them and I'm just...I'm...I'm in all seriousness I'm asking if this...you know, if I can get under this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Senator Fawell, I tell you what. If you help me with this legislation today, I'll guarantee you I'll do everything in my power to help you in your plight, I promise. Please help me today and let us pass this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall Senate Bill 535 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 535 having received the required constitutional majority is declared passed. 550, Senator Marovitz. On the Order of Senate Bills 3rd Reading is Senate Bill 550, Mr. Secretary. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 550.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This bill has been debated. It is...it allows permissively education on AIDS to be incorporated to the

existing curriculum in the State of Illinois. It is permissive, any parent that doesn't want their child to get it, all they have to do is file an objection and they won't get it. There's a new survey that's concluded that most adolescents still are misinformed or confused about AIDS and many don't even know how the virus is transmitted or what it is. Only eight percent of the teenagers that were interviewed said that the virus could be transmitted through heterosexual intercourse and through narcotic's needles. The findings of the survey came at a time when many public health officials are warning that teenagers will be the next major risk group. Officials including the Surgeon General of the United States, C. Everett Koop, are urging a massive education program aimed at this age group which is the next age group that they fear will come out with explosive numbers in catching AIDS. This is a terrible epidemic, it's a terrible problem. We can't put our heads in the sand about it and I think if we teach what it is and how it's transmitted to young people when they can change their course of conduct will go a long way towards stemming the future tide of the epidemic, and any parent that doesn't want their child to be enrolled in these courses or learn about that...they don't have to do it. It's totally permissive, but all the health care professionals and medical professionals have said, we must educate our people about AIDS, continue to educate them. All this bill is is permissive. We've passed a lot of rather extreme bills in the Legislature dealing with this subject matter. This is not an extreme bill, just a bill about education and it's permissive at that and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 550 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

record. On that question, the Ayes are 38, the Nays are 19, 1 voting Present. Senate Bill 550 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 567, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 567.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 567 creates the Clinical Laboratory Science Practice Act. It's agreed...has been agreed to by Reg. and Ed., the nurses, the doctors and Senator Schaffer. For your information, the med. techs. are those people that provide laboratory testing for AIDS, drugs, chemical analysis, hepatitis and other problems and infectious diseases. The bill sets definitions...sets forth exemptions, provides for the creation of a board, registration, establishes various qualifications and levels of registrations, increases the fees and authorizes R & E to revoke or suspend licenses for various reasons.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Kelly.

SENATOR KELLY:

I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Kelly.

SENATOR KELLY:

Okay. Senator Luft, I...I noticed that the issue here is Clinical Laboratory Science Practice Act. Now what is there in the way of research or anything and, if so, is there any research included in here and particularly I'm interested

in...if there's any research on a...a fetus or something like this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Okay, I...I'll just sit down. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

As Senator Luft and I discussed this bill, we both agreed, A, it was a bill; b, it was a registration bill; after that, the agreement kind of fell apart. I would respectfully point out that the Hospital Association and I believe the Medical Society are in opposition to this bill. It's another registration bill, I'm not going to belabor it at this point in time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This legislation is similar to administration proposal, Senate Bill 1322. I'd urge your support of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luft may close.

SENATOR LUFT:

Only to point out that I...I didn't attempt to mislead anyone. It's my understanding that there is no opposition; hopefully, I'm correct. That's what I was told anyway. I would urge support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 567 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 11, 1 voting Present. Senate Bill 5-6-7 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 574, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 574.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR del VALLE:

Thank you, Mr. President. This bill requires that when an individual applying for registration in person cannot be registered because of his failure to furnish two forms of identification, the registration officer shall give the individual form written in English and Spanish outlining requirements for registration. The bill also expands the number of acceptable forms of identification. A list of applicants whose registration was refused because of their failure to present the required I.D. shall be maintained for three months and shall be open for inspection by deputy registrars. The bill was recommended by the AFL-CIO and was amended in committee. As far as I know, there is no opposition. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Dudycz.

SENATOR DUDYCZ:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Dudycz.

SENATOR DUDYCZ:

Senator del Valle, while going through my analysis, I had noticed an insert here which states that the...to my downstate colleagues, this bill would require all election authorities to print forms in Spanish and English, irregardless of where the election would be held in the entire state, outlining the requirements for voter registration in Illinois and identifying the forms of identification which are acceptable. Now there are election authorities in this state...I don't have any problems personally because I'm from the same municipality that you are, but there are election authorities in this state which don't have any Hispanic constituents and I would just like to know, should they be required to print the forms in Spanish also?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator del Valle.

SENATOR del VALLE:

As the bill is written, it does require all authorities, yes.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Would the election authorities be able to opt out of that provision if they have no...say, in a rural community, if there are no Hispanic speaking voters or constituents?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

Well, I want to answer...I want to answer him.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Okay.

SENATOR D'ARCO:

Can I answer?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Absolutely.

SENATOR D'ARCO:

Well, you never know when you're going to have some Spanish-Americans or Mexican-Americans or Black-Americans in your community. So, you know, you live with it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco, that was wonderful...great...great explanation. All right. Further discussion? Senator del Valle may answer that question, if you wish, there...there are other speakers. All right. Senator Lechowicz, what's your point?

SENATOR LECHOWICZ:

That's the current law now, there's nothing new about that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Let's...let's get...all right. Senator Dudycz, do you...do you wish to have a...ask another question? Senator Dudycz.

SENATOR DUDYCZ:

Well, I'd just like for Senator del Valle to answer my question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator del Valle.

SENATOR del VALLE:

Could you repeat your question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR del VALLE:

...it was a long time ago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

My question, Senator, is...let's say in one of our downstate communities, there is no...small community...there is a small community of several hundred voters and there is no known...Senator...Senator D'Arco, can you hear me?...no known Hispanic voters or constituents in the community, can they opt out from requiring the literature to be printed in Spanish?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator del Valle.

SENATOR del VALLE:

I think that they should be able to opt out. I think you've raised a good point and I'm willing to amend it in the House in order to allow for sections to opt out. I...it's a fair question, but let me also say that the population is growing quickly, it's...growing throughout the State of Illinois and I hope that people take notice, because now with the immigration reform, within a few years, you're going to have an increasing number of people that will be able to register to vote in many of your districts.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Karpiel.

SENATOR KARPIEL:

Well, I'd just like to comment very quickly that in my district and in...and in my area the Asian population is growing very fast and there are different kinds, Cambodians, Indians and...and Japanese, Chinese and that type of thing. And I think if we're going to be mandating things like this, we're going to be getting into a very expensive proposition.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? If not, Senator del Valle may close.

SENATOR del VALLE:

I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

The question is, shall Senate Bill 574 pass. Those in

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favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 24, none voting Present. Senate Bill 574 having received the required constitutional majority is declared passed. 613, Senator Degnan. 652, Senator D'Arco. On the Order of Senate Bills 3rd Reading is Senate Bill 613, Mr. Secretary, read the bill. (Machine cutoff)...I beg your pardon. On the Order of Senate Bills 3rd Reading is Senate Bill 652. Mr. Secretary, read 6-5-2.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 652.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 652 eliminates the postelection report of campaign contributions for the General Election, consolidated election and nonpartisan election. It requires political committees to file semiannual reports of campaign contributions and expenditures due January 15th and July 15th, rather than an annual...annual report which is due July 31st. It also clarified language regarding contributions of five hundred dollars or more which must be reported thirty days before an election. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 652 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays

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are 10, 1 voting Present. Senate Bill 6-5-2 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 681, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 681.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

I...just one moment, please. Thank you, Mr. President. Senate Bill 681 is a bill indemnifying volunteers and not-for-profit corporations and it passed out of committee on the Agreed Bill List and...and went to the Agreed Bill List.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion?

SENATOR MACDONALD:

Senator Barkhausen wanted to put another amendment on and then he withdrew that amendment. So this bill now appears as it did on the Agreed Bill List.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Marovitz. All right. Further discussion? The question is, shall Senate Bill 681 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. 681...Senate Bill 6-8-1 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 697, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 697.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senate Bill 697 as amended applies only to dental plans and provides that proof of loss shall be payable within thirty days after receipt and...after that thirty days elapses, it would be at nine percent interest. I...this has been worked out with the health insurance industry. I know of no opposition, I ask your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 697 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 697 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 719, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 719.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This is the...the bill that was worked out between the beer distributors and the brewers. It puts a limit on outside signs and the limit is increased from five hundred to six hundred dollars, eliminates the two hundred dollar limit on inside signs and raises the

windowpaning trim from two hundred to eight hundred and fifty dollars. As I said, it was worked out. I'd ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Will the sponsor yield for a question or two?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...he indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, is there still a limit on inside signs of some kind?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

...yes. Let's see...I can't figure out...oh, here it is. Interior signs raised from four hundred to eight hundred and fifty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

And...and, secondly, this is not a vehicle and it won't become a no limit bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you. Just a question to the sponsor, and...and I'm not particularly opposed to this bill, but I was surprised when this bill came in the committee. What we're doing here is...is increasing the limit that beer companies can spend on signs and things that they put into taverns. And, I guess, my question is, why...why are we even in this business, Senator Joyce, do you know?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

I think we're in it long before I got here.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Schuneman...Senator Schuneman.

SENATOR SCHUNEMAN:

Well,...obviously, it was before I got here too, but I...I really don't understand why it is we stay in it. Somehow we're controlling what beer companies can give to their sales...their retail sales people, we don't do that in any other industry that I know about and it seems as though it's something we ought to get out of. Just...just a point of conversation.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Joyce, you wish to close? Senator Joyce.

SENATOR JEROME JOYCE:

Well, I...I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

The question is, shall Senate Bill 719 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, 1 voting Present. Senate Bill 719 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 722, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 722.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Senate Bill 722 as amended updates the capital component reimbursement rate for long-term care facilities by increasing but not removing the ceiling on the capital reimbursement. The existing capital component ceiling has not been changed since July 1st, 1981. This bill requires that the reimbursement rate be indexed annually using the Dodge regional construction inflator with the July...with July 1, 1981 as the base. Senate Bill 722 will become effective upon becoming law and the projected cost of this bill as amended according to both the industry and the Department of Public Aid is approximately 13.1 million for...FY '89 and approximately 1.3 million each year thereafter. I'd be happy to try and answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, just a note from your friendly accountant who keeps looking at those taxes coming...up, you know, and this has a fiscal impact this year...in '88 rather of fourteen million with 4.5 million annually thereafter. The...Department of Public Aid continues to be opposed, just a point of conversation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If...if not, Senator Joyce may close.

SENATOR JEROME JOYCE:

Yes, thank you, I might point out that the fiscal note says it's 13.1 million and 1.3 million thereafter and this capital component reimbursement is only provided to...facilities providing to Medicare recipients. Additional capital is necessary in order to assure the continued quality of care for long-term care residents and I'd ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 722 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 26, 2 voting Present. Senate Bill 722 having received the required constitutional majority is declared passed. Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

Verify the roll call, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The...the affirmative?...verify those too, you want to start with those? All right. The...Senator Karpiel has...has requested a verification of the affirmative roll. All members will be in their seats, the Secretary will read the members who voted in the affirmative.

ACTING SECRETARY: (MR. HARRY)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR KARPIEL:

Yes, Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce on the Floor?

SENATOR KARPIEL:

He's lost his hair.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce on the Floor? Strike his name.

SENATOR KARPIEL:

Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft is sitting in his seat.

SENATOR KARPIEL:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz is at the back of the Chamber.

SENATOR KARPIEL:

Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas is in the Well.

SENATOR KARPIEL:

I see him, that's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Mr. Secretary. On a verified roll call, there are...on that roll call, there are 30...voting Yea, 26 voting Nay and 2 voting Present. Senate Bill...722 having received the required constitutional majority is declared passed. All right. 732, Senator Etharedge. Page 7...page 8, 774, Senator Welch. Senator Welch, you wish to call that bill? On the Order of Senate Bills 3rd Reading is Senate Bill 774, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 774.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill will do is require the Illinois Commerce Commission together with the Department of Energy and Natural Resources to do a study of

the effects and the ramifications of wheeling electricity in the State of Illinois. Yesterday we had a bill that came close to passing concerning wheeling electricity into enterprise zones. One of the major contentions during that debate was the cost to the State of Illinois and the effects on other consumers who were not included in the enterprise zones. After that bill failed, I put this amendment on this particular bill to try to answer those questions. Fourteen states in this country already wheel electricity. Wheeling of electricity is the best hope for all of us in Illinois to reduce consumer utility rates. The effects of wheeling would bring competition to the industry and competition would bring lower prices. I'd be glad to try to answer any questions.

PRESIDENT:

Discussion? Senator Maitland. Whoops, I beg your pardon. Senator Geo-Karis.

SENATOR GEO-KARIS:

Will...sponsor yield for a question?

PRESIDENT:

He will, Senator Geo-Karis, he indicates.

SENATOR GEO-KARIS:

There was an amendment that removed all the provisions and simply said that...what you're going to do is to...ask for the commissioner to...to study the feasibility of wheeling electricity in Illinois. Is that correct?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

That's absolutely correct.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Senator, I...I think, really this is a step in the right direction.

I...the...how...when is the study due? Do you...could you tell us that?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

January 1st of 1988.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Which is like six months from now? You know, we really do have a...a philosophical difference on this issue, as you well know, and I think we...we want the best for consumers and I'm...my only concern with this is, is six months really long enough for the study?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Well, my understanding, Senator, is that there's already a great body of research that has been done and accumulated by both Energy and Natural Resources and the Illinois Commerce Commission. So I think that they could do it.

PRESIDENT:

Senator Maitland. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I...I would like to support the bill, Senator, simply because it has been changed now so it is strictly a study and I think...I think this issue needs to be studied, and I...I have no problem with it. I do have a concern though about the date and I'm...I...I guess I would like to get...illicit from you...your response about that short time of the study, because it seems to me the Commerce Commission with all...with all the problems that they've got right now, staffing problems and trying to react to rate changes and requests for rate reviews, they might not

be able to a credible job of this within six months. And if they fail, then...then what's our reaction to that?

PRESIDENT:

Senator Welch.

END OF REEL

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REEL #10

SENATOR WELCH:

Well, I doubt that there would be much of a reaction we...we could take, Senator. But what I would like to say is this, both departments have indicated that they thought they could comply with the January 1st date.

PRESIDENT:

All right...Senator Schuneman.

SENATOR SCHUNEMAN:

Well under those circumstances, I'd like to stand...support of the bill.

PRESIDENT:

Question is, shall Senate Bill 774 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 11 Nays, 1 voting Present. Senate Bill 774 having received the required constitutional majority is declared passed. 809, Senator Kustra. On the Order of Senate Bills 3rd Reading is Senate Bill 809. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 809.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This was the bill that was put back on recall, it is the Psychologist Registration Act and it has been approved and agreed by both sides of the aisle. I can read off the definitions and what have you, but basically it endorses...embodies the

rewrite of the Psychologist Registration Act, changes the name to the Clinical Psychologist Licensing Act, defines clinical psychology ad nauseam. I solicit an Aye vote.

PRESIDENT:

Question is, shall Senate Bill 309 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 809 having received the required constitutional majority is declared passed. Senator Savickas, 828. Senator Collins, 843. On the Order of Senate Bills 3rd Reading is Senate Bill 843. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 843.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, thank you. This is the sealing of the misdemeanor records after ten years. It came out of the committee 9 to 1. I have since, on 2nd reading, put an amendment on to respond to the objectors' concerns. I know of no other objections and I would ask for your favorable vote.

PRESIDENT

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President, I was the one. Senator, I had two concerns, one was that this could allow...for sealing of records even for somebody that had twenty-five or thirty Class A misdemeanor convictions. Has this been limited now down to first offenders or...or first or second offenders?

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

To my knowledge, the answer is no, but it was my understanding that you did the amendment. So the only objection that I knew about was the objections of giving the appropriate law enforcement...and...and in the courts access to those records, and the individual access to his or her own records if...if needed.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Well, I...I didn't do any amendment, but that was my other concern that law enforcement have access to the records, and I see that that has happened in Amendment No. 2. If...and you probably don't need my support to pass this, but would you consider limiting it to some number of misdemeanor convictions so we don't get some career criminal getting these things sealed...in the House?

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

I think...I think what...by doing that, we would have to presuppose that the judge has no discretion at all or no judgment at all. I don't think any judge would...would allow this, a petition would have to be filed and, if, in fact, a person is a constant repeater, he's not going to...going to allow it to happen in the first place. The judge has some discretion, I think that's the way we ought to leave it.

PRESIDENT:

Further discussion? Further...I beg your pardon, Senator Hawkinson.

SENATOR HAWKINSON:

...if you'll pardon me, I...I think this will be the last one. But I understood that this was written that they should

be...that they shall be sealed if there's been no subsequent conviction which would not leave discretion with the court. But you're assuring me, through staff, that the judge...even when this period of time has elapsed, that upon presentation of a petition, the judge can still deny the petition?

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Sure, that's the whole purpose for petitioning, why would you have to petition if...if it was just automatic anywhere?

PRESIDENT:

SENATOR HAWKINSON:

That doesn't answer my question, because the reason for petitioning is the same reason you always petition for expungment is nothing happens automatically and you have to file petition to have it done. But my question is, does the...upon the filing of a petition, may the judge deny the petition if in his or her opinion there are too many misdemeanor convictions to grant it?

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

It does not say "shall," it...it...it does not use the language "shall" so it does leave some discretion.

PRESIDENT:

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

...my point, Mr. President and members, would be very much the same as Senator Hawkinson's. If somebody, in fact, has accumulated a substantial criminal record albeit one comprised entirely of misdemeanor convictions, in my opinion there should be some discretion with the judge. And I'm...not satisfied by the sponsor's comments or what...I've been able to find in...in the Committee Amendment 2 which

doesn't seem to have been satisfactorily explained that...that that has been done. And...and for that reason, I believe that we ought to withhold our support.

PRESIDENT:

Further discussion? Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. We passed this bill out of here last year and, you know, the intent of the bill is to say, if you haven't committed a misdemeanor in ten year's time, you should be able to have these records sealed, and when you go for a...a job or something, your employer...the employer shouldn't be able to bring up the fact that you had some prior criminal background. Now, the problem you're talking about with a bunch of prior misdemeanors that you may have accumulated before this ten-year period, we can address that in the House if you want. You know, we can say, you know, you can only have been convicted of one or two misdemeanors prior to that time. That's...you know, we don't...obviously, we don't want to allow this privilege to somebody who has accumulated a bunch of misdemeanor convictions, that's not our intent. Our intent is just to say that, look, if a guy made a mistake when he was a kid or...or, you know, when he was twenty years old or eighteen years old, he was convicted of something, now he's going...you know, he wants to be responsible, he's seeking employment,...ten years have elapsed, we don't want this to be on his record, that's all.

PRESIDENT:

Further discussion? Senator Collins may close.

SENATOR COLLINS:

Just ask for a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 843 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open.

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 26 Ayes, 29 Nays, 1 voting Present. Senate Bill 843 having failed to receive the required constitutional majority is declared lost. 858, Senator Savickas. 868, Senator Dunn. On the Order of Senate Bills 3rd Reading is Senate Bill 868. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 868.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President. Before I start on this bill, I'd like to have permission to...to recommit 869 to the Agriculture Committee from whence it came.

PRESIDENT:

All right. The gentleman seeks leave of the Body to recommit Senate Bill 369 to the Committee of Agriculture. Without objection, leave is granted. It's so ordered. 868, Senator Dunn.

SENATOR RALPH DUNN:

...Senator Watson and I would also like to recommit 901. This will be...then 868 will be the last Kaskaskia water bill on the Calendar.

PRESIDENT:

All right. The gentleman also seeks leave to recommit Senate Bill 901 to the Committee on Agriculture. Without objection, leave is granted. It's so ordered. We are now back to 868. On the Order of Senate Bills 3rd Reading, Senator Dunn.

SENATOR RALPH DUNN:

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

are twenty-two cities and communities and water districts down in about five counties along the Kaskaskia River that have suddenly found after twenty years of using their water from the Kaskaskia River they had...of course, they get the raw water free and they process and they sell it; in fact, I don't think there's a community or town that I know of in Illinois, including the big one on Lake Michigan, that has to pay for raw water when they get it out of a public river or a lake or a...Mississippi River or the Illinois River or the Ohio River, but now...or Fox River, but now, all of a sudden, the State of Illinois has decided because of an agreement they entered into with the corps of engineers that when the low water...when...when and if low water ever occurs, that the...on the Kaskaskia River, that they will start charging the water users. These are communities that have been buying water, been getting the water from the river, selling it to their customers, and now they are faced with the prospect of being...of having to charge their customers. This bill would say that only during the time of an emergency when the water is low and when they do have to let down water from the...for the Carlyle Lake, then the communities would pay for the water, but then when the water was back up to level again, then the water charges would go off. That's what Senate Bill 868 does. I'd consider your favorable consideration. I'd be glad to answer any questions.

PRESIDENT:

Discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Well, thank you, Mr. President. I...I hesitate to rise again against this bill but it isn't any better today than it was yesterday. Senator Dunn, I think you said that now they're faced with paying for this water, but when they signed the contract when they put Shelbyville and Carlyle Lakes in, they said that they would pay for the water, I

mean, that was in the deal. And now they're coming back and...and suddenly when...when it comes to fruition and they are drawing water out of it, they don't want to pay for it, so they don't want to honor their contract. I...I, you know, I just think that's wrong. I think all those communities had public meetings and there was no opposition, they said they wanted those lakes there, and as I said yesterday, they are beautiful lakes, any community would be very happy to have them, and a...and a minimal water charge, the Department of Transportation tells me is fifty cents a month, that's six dollars a year. I think most people would be happy to pay six bucks a year if they had a...a recreational lake and...and absolutely sure that they're always going to have water. So I don't think that's too much to ask those communities to honor their obligation and honor...indeed, honor their contract and...and pay for this. I...I think for the State of Illinois to pick up the tab is just...it's just not right.

PRESIDENT:

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

SENATOR RALPH DUNN:

Thank you, Mr. President and members of the Senate. Up until now the U. S. Corps of Engineers has not charged...nor the state has not charged any of the water users for twenty years. The corps of engineers claims that when the state will become responsible for about three hundred and fifty thousand dollars a year if a drought occurs, it hasn't occurred in the twenty years. There's been no charge on the water. As far as I know, none of the communities have been asked to pay. But all of a sudden now, why, the corps of engineers has told the state that in case of low water that the state would be responsible for the three hundred and fifty-two thousand dollars. If this occurs on the Kaskaskia

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River, look for...on the other rivers in Illinois...finally the State of Illinois, the water department...Water Division may decide to charge you for your water. I'd appreciate a Aye vote on Senate Bill 868.

PRESIDENT:

The question is, shall Senate Bill 868 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 20 Nays, 1 voting Present. Senate Bill 863 having received the required constitutional majority is declared passed. 943, Senator Jones. On the Order of Senate Bills 3rd Reading, Senate Bill 943. Read the bill.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 943.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. Senate Bill 943 as...amended reflects the agreement between the electrical contractors and the installers and also increases the Private Detective and Alarm Security Board from '79. I ask for a favorable vote.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 943 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 2 Nays, none voting Present. Senate Bill 943 having received the required constitutional majority is declared passed. 976, Senator Collins. 985, Senator Demuzio. 998, Senator Berman. On the

Order of Senate Bills 3rd Reading, Senate Bill 998. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 998.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This bill is similar to the Senate Bill 719 which represents the agreement between the beer distributors and the...and the brewers. And I ask for your favorable vote.

PRESIDENT:

Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Why do we need two bills?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I...I'm not sure, but that's the agreement that our handlers had worked out and everybody was in agreement on all sides. I...I...I really can't give you an answer, but that's what we agreed to.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Can you assure us that this one won't become a...a vehicle to come back without any dollar limits?

PRESIDENT:

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Senator Berman.

SENATOR BERMAN:

I'm...I'm sorry, would...would...would not come back with any what?

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Is this the same bill that we just passed that Senator Joyce had? I asked him if...if...and I'm asking you the same question, if this will not become a vehicle to come back as a bill without any dollar limits?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

That's agreed.

PRESIDENT:

Further discussion? If not, the question is, shall Senate Bill 998 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 3 Nays, 3 voting Present. Senate Bill 998 having received the required constitutional majority is declared passed. 985, Mr. Secretary, I inadvertently ran over that one too quick. On the Order of Senate Bills 3rd Reading is Senate Bill 985. Read the bill. There's an amendment filed, Senator Demuzio, do you wish...withdraw the amendment, thank you. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 985.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

There is a large amendment that was forthcoming today that Senator Keats and Senator Zito is aware of. This bill has major surgery that has to...take place in...in the House, and I would ask the members of the Senate simply to vote in the affirmative to send it over there to see if we can't continue to work on a compromise.

PRESIDENT:

Discussion? Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members. What Senator Demuzio said is correct, there were several attempts to reach some kind of a compromise. Senator Keats and I did not feel that we had enough time to adequately go through the requests. I'm going to be voting Present on Senate Bill 985 because I think this obviously has a tremendous impact on the...on this issue, and I...I don't think 985 in its present form is ready to go anyplace, but use your own judgment.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Following that, not in any way disagreeing with the chairman but in supporting Senator Demuzio, there are three major concepts involved; the concept of mandatory sharing, we all agree should be done; some of the other provisions, I won't kid you, this...this bill needs work and in present form is never going anywhere, but there's no other vehicles. And everyone agrees, we're going to continue working on it, there's no one disagreeing in terms of continuing to work.

PRESIDENT:

The question is, shall Senate Bill 985 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50

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Ayes, no Nays, 5 voting Present. Senate Bill 985 having received the required constitutional majority is declared passed. 1005, Senator Jones. On the Order of Senate Bills 3rd Reading, Senate Bill 1005. Read the bill, Mr. Secretary. ACTING SECRETARY: (MR. HARRY)

Senate Bill 1005.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Senate Bill 905 sets a max. salary to be paid full-time court reporters to thirty-nine thousand two hundred and fifty dollars effective January 1, '87. This we must do by law. Ask for a favorable vote.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1005 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 24 Nays, 1 voting Present. Senate Bill 1005 having received the required constitutional majority is declared passed. 1009, Senator Savickas. On the Order of Senate Bills 3rd Reading is Senate Bill 1009. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1009.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Senate Bill 1009 is the rewrite of the Physician Assistant's Practice

Act. It provides the five following points: a definition of the scope of the practice of physician assistants, the educational and national certification requirements for licensure eligibility, and a clarification of...of physician assistants made be employed by hospitals, nursing homes and other health care facilities but still must be supervised by a physician; a mechanism for the alternate physician supervision in the absence of the supervising physician, and a disciplinary section which has been significantly strengthened and expanded. It is supported by the Illinois Academy of Physician Assistants, the Department of Registration and Education, the Cook County Board, the Cook County Hospital and the Chicagowide city college...citywide colleges. I would urge your support of this bill.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall Senate Bill 1009 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 1009 having received the required constitutional majority is declared passed. Top of page 9. On the Order of Senate Bills 3rd Reading, Senate Bill 1010, Madam Secretary. Read the bill, please. Senator Weaver, for your hourly announcement? Yes, sir.

SENATOR WEAVER:

...we're...we're doing pretty well,...professor. I would like to...having voted on the prevailing side of Senate Bill 868, I would move we reconsider the vote by which it passed.

PRESIDENT:

Paranoia is rampant around here. Jesus Christ. All right. Senator Weaver has moved to reconsider...having voted on the prevailing side has moved to reconsider the vote by which Senate Bill 868 was declared passed. Senator Davidson

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has moved to put that motion on the Table. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion prevails. It is Tabled forever. Find your bill, Senator Carroll. How about...1014, we got the rest of them? The whole row missing? Senator Carroll, we'll get back to you, we have to send out a search and destroy mission here. I got a few more on that list, yeah, right, okay. Top of page 9, we'll carry on and, with leave of the Body, get back to 1010. Apparently there's been a clerical misfile here, that happens in the real world. On the Order of Senate Bills 3rd Reading, Senate Bill 1014. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1014.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and members of the Senate. The bill before you deals with how we go about job training, retraining and education for employment in our state. Currently, we spend over one million dollars in Illinois on job training programs. We have twelve different agencies conducting twenty-six different programs. There's plenty of evidence to suggest that the left hand doesn't really know what the right hand is doing, and what we do or fail to do in this area will dictate how well our unemployed and our underemployed deal with the challenges of the job market. To help address and review these job training programs it is required by Federal law to states receiving JPTA funds that we have a job training coordinating council. The intent of that legislation was that these councils serve as an independent body...to serve as an independent body that is an

oversight and review council to objectively take a look at how we're...how well the many programs are working. Our Body is in the very department that holds most of the job training programs. The Job Training Council while it should be independent is housed in DCCA and staffed by DCCA, the very agency that conducts the bulk of the job training programs. I think if our Job Training Council is to be truly independent as an oversight committee, it should be independent of any and all existing job training agencies. And that is the crux of the legislation before you. Job training, retraining, and education for employment are too important to be lost in turf battles, for what we do or fail to do will directly affect how well an individual or a family moves from the welfare or unemployment rolls to a role...a productive role in our work force. I urge a favorable consideration on this vote.

PRESIDENT:

Discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. As you may recall from 2nd reading, DCCA did have several objections to this measure. Now, some efforts have been made to remove some of those objections. I think a couple of them have been removed but the independent...the...provisions for an independent staff are...are still in there; DCCA objects to that, DCCA still objects to the bill. So I'm just informing the Body of that fact.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yes, question of the sponsor.

PRESIDENT:

Indicates she will yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Severns, I believe the only change you have made after taking off some of the other amendments or not getting them passed...is the council the same as it was before?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

There are two changes that were made in the last amendment, we conceded two additional points to DCCA. One point that we conceded, we suggested...I suggested that the council should be bipartisan; DCCA said they didn't think that was necessary, we conceded. I suggested that the council should not permit the state bureaucrats who run the job training programs to have votes on the council; DCCA objected, we conceded. Those are the two points...those are the two changes that have been made in the last...in the last amendment that was offered yesterday. The point that still remains is that the council be independent of DCCA and/or any job training agency with an independent staff.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

I am sorry, but...the answer is that the council is the same but you want it to be staffed differently, correct? Okay. Well, in your opening comments you got me all excited because you...you were indicating that we're going to really revamp this program, we're going to solve the problems of unemployment and so forth. You know, if that be the case, why don't we amend into this bill that the State Board of Education have outside independent staff? that the Department of Mental Health have outside independent staff? that every unit of government who currently operates with its own people have independent staff? because after all that would give a new perspective. The point of the matter is that the reporting is still the...to the same place, and I think changing

the composition of the staff is not going to improve anything. This is a program that is funded by Federal dollars, there is a set-aside for administrative costs and, frankly, several years ago, I was most unhappy about the way it was running; in fact, we were successful in stealing a person from your area of Decatur, Chris Correll to come up and do the program for us, and she did a wonderful job and currently serves as director of Prairie State 2000. I just really think this is not the thing to do because it's not going to do what you want it to do.

PRESIDENT:

Further discussion? Further discussion? Senator Severns, you wish to close.

SENATOR SEVERNS:

Thank you, Mr. President. Just one comment to Senator DeAngelis. I agree with you totally with the Prairie State 2000 leadership, Dr. Correll and through this legislation, hopefully, she, too, will be a member of the council. I think the real question, of course, is that we must...this council is supposed to take a look not only at the programs under OCCA but all of the...job training programs in Illinois. And I think that we must make it our coordinating council and independent body not only because it's...it was in the original intent of the legislation, although it was, I think we must make it an independent body because it must objectively look at the ongoing challenges of the work force. And I think, finally, we must make it an independent body for the simple and fundamental reason that it's the right thing to do. And I would urge passage of this legislation.

PRESIDENT:

Question is, shall Senate Bill 1014 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there

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3rd Reading

are 35 Ayes, 18 Nays, 2 voting Present. Senate Bill 1014 having received the required constitutional majority is declared passed. Senator Carroll, they tell me the lost have been found. On the order of Senate Bills 3rd Reading is Senate Bill 1010. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1010.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1010 is merely to codify the understandings and agreements that were reached by the late Senator Prescott Bloom and myself when we created the Illinois Health Care Cost Containment Council, divided the membership up amongst commerce and industry, providers and consumers. Apparently there was some error in one of the reappointments. This is not to affect that appointment per se but to merely codify that which was understood which was that there is a distinction between the for-profit and not-for-profit providers of care, each should have a interest in how the forms are developed for them to report because their needs are different. And, therefore, I would ask for a favorable roll call.

PRESIDENT:

Any discussion? Discussion? If not, the question is, shall Senate...I beg your pardon. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Well, Senator Carroll, there seems to be some confusion here. I don't know whether there was any agreement made but certainly you're locking in certain proprietary appointments, you're not...you're not look-

ing at the small rural hospitals or the teaching hospitals. I'm not sure...I think there's some confusion as to what...whether...initially there was consensus as to where these appointments should come from. But what I am saying is, I think the Governor should be free to make these appointments from any group rather than just designated groups. Can you elaborate on that?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Yes, I can. The agreement was made in my office, in my presence, Senator Bloom's presence, Senator Schaffer's presence and about thirty-seven other people. It was understood specifically that there is a distinction between for-profit and not-for-profit. It was suggested so that we avoid exactly what you're saying and that we not have to codify that, that we...everybody understood it. I don't want to say the Governor's Office made a mistake on its recent appointment but they indicated they had no opposition to this bill in committee in this form. They indicated they prefer not to have to say that they probably made a mistake by not recalling specifically, 'cause they were there, the agreement, that because what we're asking for is information. We're not talking about regulating hospitals, it's how they present information in a uniform form so that we can disseminate that information around the state so that the consumer can understand what a hospital is charging. When you're dealing with a for-profit, you have a taxpaying body that therefore has a different method of accounting. These are mainly multistate jurisdictional institutions, not one state only institutions, and it changes the way in which they normally report their items. So it was strongly felt that they needed to be on the board that says how they'll report their information and that's different than how a not-for-profit

reports the information, that was the sole purpose of making that distinction. As one of the two authors and one of the forty participants, I can assure you that that was more than merely an understanding, that was the commitment on which we originally passed 495.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Well, my only concern is that the proprietary represent less than three percent of the hospital beds in the State of Illinois. Now, certainly, they shouldn't be excluded, but to make them kind of an equal partner in this, I have some concerns there.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I was, frankly, rising just to confirm Senator Carroll. I was privy to those negotiations, which seems like years and years ago. Senator Weaver, I...I can't swear that it was the best deal or the fairest deal, but that was the agreement at the time the bill was passed based on the players that were involved at that point in time. And I thought there was an understanding, and I'm sure everybody did, and apparently with the passage of time and the change of players that understanding had apparently...been lost in the fog.

PRESIDENT:

Further discussion? Further discussion? Senator Carroll may close.

SENATOR CARROLL:

Roll call.

PRESIDENT:

Question is, shall Senate Bill 1010 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who

wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 26 Nays, 2 voting Present. Senate Bill 1010 having failed to receive the required constitutional majority is declared lost. 1033, Senator Savickas. On the Order of Senate Bills 3rd Reading, Senate Bill 1033. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1033.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Senate Bill 1033 was introduced to allow car rental companies to rent out the trucks larger than ten passenger vans and have them taxed under the Automobile Running Occupation and Use Tax Act at five percent and exempted from the normal five percent occupation and use tax. In other words, the rental trucks would be taxed the same way as rental automobiles. Trucks rented for terms longer than one year would not be affected by this amendment. The exemption applies only to vehicles falling under the definition of the Automobile Renting Occupation Tax Act. We're told that there would be no adverse tax consequences to the state, there would be a wash and at least in most circumstances since trucks are normally kept in service longer than automobiles, the tax revenues for the state could probably increase. When the...these rental cars and trucks are sold as used vehicles, the normal tax on used vehicles is applied on the selling price. The Department of Revenue supported this. They had...they called yesterday, they do have a concern and they feel that they can work this out in the House if...if it

proves true. They're concerned that semitrucks being rented out without the trailer...they don't know if this is a...is a legitimate problem or not, they want to check it out, if it is a problem they intend to straighten it out in the House; if it isn't, they support the bill as is. I would move its passage.

PRESIDENT:

Discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Rigney.

SENATOR RIGNEY:

Do we have a clear commitment from you that when this legislation goes to the House you will work it out to the satisfaction of the Department of Revenue?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, definitely, that's the intention. We held this bill for their amendment to be put on, we're not sure that that amendment covers their total concern, and, yes, definitely.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

No, that...I wanted to make sure that we had that understanding too because there...it's a very technical thing and they had no objection in principle but they might in terms of how it actually operates. So we will make sure...we'll keep a close eye on it in the House and make sure that it does what it's supposed to do.

PRESIDENT:

Question is, shall Senate Bill 1033 pass. Those in favor

will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 1033 having received the required constitutional majority is declared passed. 1102, Senator del Valle. On the Order of Senate Bills 3rd Reading is Senate Bill 1102. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1102.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator del Valle.

SENATOR del VALLE:

Mr. President and members of the Senate, this bill amends the Illinois Consortium for Educational Opportunity Act and provides that an individual may satisfy the conditions of the grant by accepting a position as a state employee in an education related position. Current law provides that the individual may accept employment at various colleges and universities. This expands, broadens the program. I ask for a favorable roll.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1102 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 21 Nays, none voting Present. Senate Bill 1102 having received the required constitutional majority is declared passed. 1131, Senator Barkhausen. On the Order of Senate Bills 3rd Reading is Senate Bill 1131. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1131.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 1131 which is a bill which in its current form was passed in the committee unanimously to clarify the manner in which drug fine money is to be distributed. Under existing law it provides that a...all of the money collected in...in the...where a crime is prosecuted solely in the City of Chicago shall go to the City of Chicago but it does not have a similar provision where such a prosecution is...is handled solely by a police department in another municipality. As a matter of fact, the law is currently being interpreted, we're told, in such a way that the practice is the same in...in other municipalities as it is in Chicago, but this is to clarify...to clarify that so that the practice will be the same throughout the state. I ask for a favorable roll call.

PRESIDENT:

Is there any discussion? If not, the question is, shall Senate Bill 1131 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1131 having received the required constitutional majority is declared passed. Ladies and gentlemen, if I can have your attention now, the idea of this exercise was to afford everyone an opportunity to have their bill heard at least once. Three bills were knocked off the agreed list. If you'll take a look. The Secretary has distributed supplemental Calendar...Supplemental Calendar No. 2, and there are three bills

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concurrance*

that members had had bills on the Agreed Bill List and for one reason or another they were knocked off, they too will have an opportunity. Supplemental Calendar No. 1 represents the second half of the medical malpractice agreement, that bill passed on to the Governor today out of the House, and there are two bills in that agreement, this is the other one. There was a technical error, I'm going to ask Senator Marovitz to move ahead if he is still around. All right. We'll move immediately to the supplemental calendars. Supplemental Calendar No. 1 on the Secretary's Desk on the...on the Order of Concurrence. All right. Messages from the House, Madam Secretary.

SECRETARY:

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

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

Senate Bill 219.

(Secretary reads title of bill)

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to Senate Bill 219. Passed the House as amended May 22nd, 1987.

PRESIDENT:

All right. On Supplemental Calendar No. 1 on the...on the Order of Secretary's Desk Concurrence is found Senate Bill 219. Madam Secretary. House Amendment No. 2, 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

Amendment No. 2 to Senate Bill 219. It is a clarifying amendment only clarifying any questions regarding misconstructions in the bill, makes no substantive changes. This is the medical malpractice settlement regarding the Statute of Limitations for minors. Once again, reiterating, the time within which a cause of action may be brought on behalf of a person under eighteen years injured because of the negligence of a physician or a hospital shall be eight years as it was when we heard this bill. Period of time allowed for the filing of a complaint shall commence on the date of the alleged act or omission occurred and run for eight years thereafter. In no event shall the case be beyond the individual's twenty-second birthday. This amendment and this bill allows individuals who currently have a right to file but may be foreclosed by the new eight-year period to file within three years after the effective date of this Act. There is therefore a three-year grace period. This is a clarifying amendment only and I solicit your vote for concurrence in House Amendment No. 2 to Senate Bill 219.

PRESIDENT:

Question is concurrence in House Amendment No. 2. Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

I just wish to state, Mr. President and members, that we have been informed of this amendment which was felt necessary to clarify legislative intent and we will certainly go along with it.

PRESIDENT:

Question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 219. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur in House

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Amendment No. 2 to Senate Bill 219 and the bill having received the required constitutional majority is declared passed. All right. We'll move immediately to the Order of Supplemental Calendar No. 2. That is Senators Carroll, Geokaris and Davidson. On the Order of Senate Bills 3rd Reading, Madam Secretary, Supplemental Calendar No. 2, is Senate Bill 630. Read the bill, please.

SECRETARY:

Senate Bill 630.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This has been called a chip off the old block, this is the clarification language of the CHIP legislation. It codifies the errors that had been made when we amended the old bill and passed it when we took out the provisions that the insurance companies would have to pay any shortfalls, this would make the necessary corrections to that. In addition, it does, in fact, reduce some of the benefits that were in the proposal that we had originally passed, brings it more in line with the type of provisions that we have in our own state policy and further adds other cost containment concepts such as HMOs, PPOs, et cetera in order to contain the costs that this program would have. I'd be willing to answer any questions, I want to ask for a favorable vote.

PRESIDENT:

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is obviously not the time to take up a lot of time of this Body, except that I think that we should...we should be aware of some things. This is

the change that came about or is being suggested to the comprehensive health insurance plan that was passed last year. It still contains some very, very liberal insurance benefits and...and...I want to comment about those simply to call them to your attention. That...that what we're seeking to do here is to insure a group of people who are uninsurable by any other standards. And what we're doing in this plan, which is a very, very liberal one, is providing up to a half a million dollars coverage for each person. People will be able to get in to this plan if they are residents of Illinois for only thirty days. There...there is a buy-down provision...there is a preexisting condition provision in...in the bill; in other words, if you have a condition now, the insurance will not pay for bills because of that condition for six months. However if you pay an additional ten percent premium, there's only a two-month waiting period. So, we'll have a plan that's very rich, that will be attracting people who are already sick and injured into the plan. With the threat of AIDS what it is, just expect this plan to be terribly costly. Now the Attorney General and the Governor are on board on the plan and...and we all went on record as supporting the concept. Frankly, I was hoping that we could bring about some revisions now. We're going to find it very hard to reduce benefits under this plan in a few years after people get insured by it. And I would like to see us make some further reductions now because I think we're really opening up a costly thing. Senator, I'd like to ask you one...one question, Senator Carroll.

PRESIDENT:

Sponsor indicates he'll yield.

SENATOR SCHUNEMAN:

There is a provision that deals with the insurance premium that is intended to be charged for dependents' coverage...and I...is...is there an error in that...in that lan-

guage...is there an error in that language?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Maybe if you made a better reference, it would identify it for me. I'm not aware of an error in that language.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

On page 16, paragraph 4, it says "That the plan may provide for separate premium rates for optional coverage for the...for the spouse or dependents of persons...eligible to be insured under the plan, but...in no event shall such rates exceed ninety percent of the applicable individual plan rate." A...the insurance industry has raised some objections to this, Senator, because apparently by having that language in there which puts a...a top limit on the rate, there is some concern that, in fact, the plan may be...in competition with private insurance, and that...and their idea is that that should read, "No less than" or some language like that.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, I don't want to prolong the discussion and I don't like to go against one of my colleagues, I happened to help sponsor this bill. But I do want to point out a couple of things for the record. Senator Schuneman, in terms of AIDS, and I can tell you from experiences in my own district, those people will go on public aid and they are on there, particularly if you're talking about the thirty-day period 'cause you can't deny them those benefits. Now...and let me tell you who's paying for public aid...you, me, all of us. And I...I just think, you know, we've got a program, we ought to let a...try to make it work. I agree with you, if it

becomes too costly we ought to review it, but...but let's...let's correct that thing about...about the thirty days because they are eligible immediately when they come to the state, and I can show you some cases of people that have moved to the state and have become instantly eligible, and they are AIDS people.

PRESIDENT:

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

SENATOR CARROLL:

Just very briefly to explain, Senator Schuneman, I think the point you make, very honestly, is not well taken in the sense that this amendment in effect reduces some of the benefits that were in the law we had passed. And after meeting with the Department of Insurance, with the Attorney General, with the insurance companies and with the consumer groups, it was agreed that, for example, the bill we passed had a buy-down, as you identified, to two months for surgical or medical. We felt we could get hit real big on a surgical procedure by somebody paying a ten percent surcharge and we cut it out. We did that in almost every area to keep it reasonable, less than what we had already passed, hopefully workable, we need this to be put in place and put into effect. I would ask for a favorable roll call.

PRESIDENT:

Question is, shall Senate Bill 630 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 6 Nays, none voting...1 voting Present. Senate Bill 630 having received the required constitutional majority is declared passed. 1084, on the Order of Senate Bills 3rd Reading, Supplemental Calendar No. 2, is Senate Bill 1084. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1084.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the North Central Association imposes certain minimum requirements for classroom instructions for courses during the regular school year. This bill would impose the same minimum requirements at summer school courses that exist for regular courses. There is...the amendment that was filed had a technical error that should have said "sixty hours" instead of "sixty years," and I pledge that I will have it put correctly down in the House. I ask for your favorable support.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I agree with Senator Geo-Karis, even she shouldn't have to go to summer school for sixty years. It will be corrected in the House, and I ask for a favorable vote.

PRESIDENT:

Senator...okay. Question is, shall Senate Bill 1084 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is...have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 10 Nays, 3 voting Present. Senate Bill 1084 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1157. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1157.

{Secretary reads title of bill}

3rd reading of the bill.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this bill is strictly here and it is moving forward, so that if the Federal judge accepts the compromise that's been offered by the...the Exposition Convention...Board in relation to the suit filed against them that we change the law. As you all know, Springfield's board is the only one that is elected, all the other convention boards in the state are appointed. This also is the only board...and it would change the law when we change that, only board that can levy a tax, and we felt they should be elected at that time...there's been a suit filed by the people who filed suit against the commission form of government. The defendants have gone to the Federal judge to make an offer to settlement and whether he'll accept it or not. If he does accept it, we have to change the state law; if this...if he does not accept, we'll Table the bill in the House, but in the meantime, it's the only vehicle alive that I know of to answer this if he does accept it. Appreciate a Yes vote.

PRESIDENT:

Any discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Davidson, I...I understand this is...that you've introduced this to circumvent the law. You got...you...you have right now,...wait a minute, now I'm asking you a question, I want to know...what does this bill do to solve the voting rights violation in Springfield with reference to the Exposition Authority?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

It doesn't do anything, all this does is change the word in the Act so that if the plaintiffs and the Federal judge,...first the Federal judge accept it, and the plaintiffs don't want to accept it, then I am sure they will go to trial. But in the meantime, maybe you like the Federal judge telling us what we want to do in our state law but I don't, and if the Federal judge would accept the compromise settlement that was offered by the defendants in this case, then we will have a vehicle to change the law to do that. If the judge doesn't solve or accept the compromise or if the plaintiffs want to go to trial, we will Table the bill 'cause the bill is unnecessary.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, the very reason that you got this so the Federal Government stepped in now...what minority...how many minorities do you have on this board?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

One, who was elected citywide.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, I think the same...I think the same rule should apply in this case that Senator Davidson had applied last year to...to...regardless the Federal law will prevail. But I...my understanding is that you have introduced this and I'm reading here from this, "This bill will make no substantial change and is a vehicle for an amendment that will permit the Springfield Civic Center Board to be elected by districts

rather than at large. The forthcoming amendment has been prompted by the...by the following of voting rights lawsuit alleging discrimination due to the board being elected at large, thus, diluting the voting strength of minorities and the forthcoming amendment will be a tip to circumvent the lawsuit." Is that correct?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

I don't know who gave you that, but excuse my English, but that's a damn lie.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Well, I'm reading from what the...I'm telling you what's here in the comments, it's..it's from our bill analysis and I'm asking you, is that true or not?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

I thought I answered that pretty...dramatically, no it's not true. I've told you three times now, the plaintiffs filed a suit, the defendants have offered a settlement to the Federal judge. If the Federal judge accepts that settlement and the plaintiffs accept that settlement, then we have to have a vehicle to change the law, because we're the only convention board in the state that is elected 'cause we're the only one who has the power to levy a tax. And I don't like the Federal judge telling us what we have to do by circumventing our State Statute, if he accepts the compromise, we will change the law to see what the...to what the compromise is, and the only way the compromise can happen; one, if the judge accepts...and two if the plaintiffs accept; otherwise, they go to court and the bill is Tabled 'cause we

don't need it.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Well, I...I certainly oppose this and I would hope that you all...that all of you here would...would vote No on this because this just doesn't answer the question,...and it's a bad bill and it should be defeated.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Well, Mr. President, Ladies and Gentlemen of the Senate, it's been a long day and I believe that the bill as it was explained deserves our support...deserves our support from the standpoint it's something that's still being worked on, and I, for one, for that reason, intend on supporting it, not that the matter is going to be resolved but there has to be a mechanism so when...when the court does make a decision, we can act accordingly. For that reason, I'll be...voting Aye.

PRESIDENT:

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

SENATOR DAVIDSON:

Well, I'd appreciate a Yes vote because if the compromise isn't accepted, the bill is not...can't be used for anything else and the bill will die.

PRESIDENT:

Question is, shall Senate Bill 1157 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Ayes, 14 Nays, 4 voting Present. Senate Bill 1157 having received the required constitutional majority is declared passed. Madam Secretary, with leave of the Body, we'll move

to the Order of Resolutions, get that paper out of there and then we're going to go to the Order of 3rd...Senate Bills 3rd Reading to handle the Agreed Bill List. Resolutions, Madam Secretary.

SECRETARY:

Senate Resolution 292 offered by Senators Rock, Philip and all members.

Senate Resolution 293 offered by Senator Holmberg.

Senate Resolution 294 offered by Senator Poshard.

Senate Resolution 295 offered by Senators Berman and Carroll.

Senate Resolution 296 offered by Senators Rock, Demuzio, Philip and all members.

They're all...congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution 55.

PRESIDENT:

Executive. Messages from the House.

SECRETARY:

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

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

House Joint Resolution 85.

(Secretary reads HJR 85)

PRESIDENT:

Senator Demuzio on House Joint Resolution 85.

SENATOR DEMUZIO:

Yes, this is the adjournment resolution that calls for us to come back...

PRESIDENT:

*Agreed Bill List  
2nd Reading  
HB 1325  
HB 1373  
HB 2  
HB 9  
HB 220  
HB 1375  
HB 468  
HB 256  
HB 209*

Wednesday at noon.

SENATOR DEMUZIO:

...Wednesday at noon, that's a good time. I would move to suspend the rules for the immediate consideration and adoption of House Joint Resolution 185.

PRESIDENT:

No, 85, I believe. Is it 8-5? All right. Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of House Joint Resolution 85. It is the adjournment resolution. When we conclude our business this evening, which I hope will be...not too...in the not too distant future, the House has already left, I'm told, that we will return to Springfield next Wednesday, which I believe is the 27th, at the hour of noon. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of House Joint Resolution 85. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. We'll now, with leave of the Body, proceed to the Order of Consideration of the Agreed Bill List on Senate Bills 3rd Reading, page 15 on the Calendar. All right. We...we have already...Madam Secretary, pursuant to our procedure, we have had a list and have handled the bills that have been stricken. Senator Zito, for what purpose do you seek recognition?

SENATOR ZITO:

Just a quick announcement, Mr. President, that the Senate Finance Committee was originally scheduled to meet Wednesday at 10:00 a. m., we will...in conferring with Senator Keats, we have cancelled that meeting, there will be no meeting Wednesday at 10:00 in Senate Finance.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

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The Senate Revenue is still scheduled to meet at 11:00 a. m. next Wednesday, but if you don't...aren't ready for your bill, don't be too concerned about it. We will, however, meet at 11:00 a. m. next Wednesday.

PRESIDENT:

All right. All right. Thank you. Madam Secretary, the question now is whether the bills remaining on the Agreed Bill List shall pass. Those Senators who according to our procedure will be recorded in the negative or present on fewer than all of the bills have already indicated by written communication with the Secretary. That was done by noon today. With leave of the Body then, Madam Secretary, please read the bills on the Agreed Bill List for a third time.

SECRETARY:

Senate Bill 2.

(Secretary reads title of bill)

Senate Bill 12.

(Secretary reads title of bill)

Senate Bill 17.

(Secretary reads title of bill)

Senate Bill 22.

(Secretary reads title of bill)

Senate Bill 39.

(Secretary reads title of bill)

Senate Bill 40.

(Secretary reads title of bill)

Senate Bill 71.

(Secretary reads title of bill)

Senate Bill 73.

(Secretary reads title of bill)

Senate Bill 80.

(Secretary reads title of bill)

Senate Bill 81.

(Secretary reads title of bill)

SB256  
SB220  
2nd Reading  
SB209

Senate Bill 82.

(Secretary reads title of bill)

Senate Bill 173.

(Secretary reads title of bill)

Senate Bill...181.

(Secretary reads title of bill)

Senate Bill 184.

(Secretary reads title of bill)

Senate Bill 185.

(Secretary reads title of bill)

Senate Bill 191.

(Secretary reads title of bill)

Senate Bill 206.

(Secretary reads title of bill)

Senate Bill 209.

(Secretary reads title of bill)

Senate Bill 210.

(Secretary reads title of bill)

Senate Bill 211.

(Secretary reads title of bill)

Senate Bill 213.

(Secretary reads title of bill)

Senate Bill 220.

(Secretary reads title of bill)

Senate Bill...233.

(Secretary reads title of bill)

Senate Bill 249.

(Secretary reads title of bill)

Senate Bill 256.

(Secretary reads title of bill)

Senate Bill 265.

(Secretary reads title of bill)

Senate Bill 294.

(Secretary reads title of bill)

SB 768  
Senate Bill 302.

(Secretary reads title of bill)

Senate Bill 365.

(Secretary reads title of bill)

Senate Bill 375.

(Secretary reads title of bill)

Senate Bill 378.

(Secretary reads title of bill)

Senate Bill 388.

(Secretary reads title of bill)

Senate Bill 408.

(Secretary reads title of bill)

Senate Bill 427.

(Secretary reads title of bill)

Senate Bill 430.

(Secretary reads title of bill)

Senate Bill..445.

(Secretary reads title of bill)

Senate Bill 454.

(Secretary reads title of bill)

Senate Bill 468.

(Secretary reads title of bill)

Senate Bill 602.

(Secretary reads title of bill)

Senate Bill 1091.

(Secretary reads title of bill)

Senate Bill 1108.

(Secretary reads title of bill)

Senate Bill 1112.

(Secretary reads title of bill)

Senate Bill 1113.

(Secretary reads title of bill)

Senate Bill 1121.

(Secretary reads title of bill)

Senate Bill 1135.

(Secretary reads title of bill)

Senate Bill 1136.

(Secretary reads title of bill)

Senate Bill 1138.

(Secretary reads title of bill)

Senate Bill 1142.

(Secretary reads title of bill)

Senate Bill 1158.

(Secretary reads title of bill)

Senate Bill 1161.

(Secretary reads title of bill)

Senate Bill 1164.

(Secretary reads title of bill)

Senate Bill 1179.

(Secretary reads title of bill)

Senate Bill 1180.

(Secretary reads title of bill)

Senate Bill 1190.

(Secretary reads title of bill)

Senate Bill 1203.

(Secretary reads title of bill)

Senate Bill 1206.

(Secretary reads title of bill)

Senate Bill 1207.

(Secretary reads title of bill)

Senate Bill 1214.

(Secretary reads title of bill)

Senate Bill...1220.

(Secretary reads title of bill)

Senate Bill 1230.

(Secretary reads title of bill)

Senate Bill 1234.

(Secretary reads title of bill)

Senate Bill 1235.

(Secretary reads title of bill)

Senate Bill 1238.

(Secretary reads title of bill)

Senate Bill 1239.

(Secretary reads title of bill)

Senate Bill 1249.

(Secretary reads title of bill)

Senate Bill 1253.

(Secretary reads title of bill)

Senate Bill 1263.

(Secretary reads title of bill)

Senate Bill 1270.

(Secretary reads title of bill)

Senate Bill 1273.

(Secretary reads title of bill)

Senate Bill 1275.

(Secretary reads title of bill)

Senate Bill 1277.

(Secretary reads title of bill)

Senate Bill 1282.

(Secretary reads title of bill)

Senate Bill 1283.

(Secretary reads title of bill)

Senate Bill 1303.

(Secretary reads title of bill)

Senate Bill 1314.

(Secretary reads title of bill)

Senate Bill 1326.

(Secretary reads title of bill)

Senate Bill...1328.

(Secretary reads title of bill)

Senate Bill 1332.

(Secretary reads title of bill)

*SB 1325  
3rd Reading  
SB 1373  
SB 1375*

Senate Bill 1335.

(Secretary reads title of bill)

Senate Bill 1342.

(Secretary reads title of bill)

Senate Bill 1353.

(Secretary reads title of bill)

Senate Bill 1360.

(Secretary reads title of bill)

Senate Bill 1369.

(Secretary reads title of bill)

Senate Bill 1373.

(Secretary reads title of bill)

Senate Bill 1375.

(Secretary reads title of bill)

Senate Bill 1381.

(Secretary reads title of bill)

Senate Bill 1393.

(Secretary reads title of bill)

Senate Bill 1404.

(Secretary reads title of bill)

Senate Bill 1415.

(Secretary reads title of bill)

Senate Bill 1425.

(Secretary reads title of bill)

Senate Bill 1428.

(Secretary reads title of bill)

Senate Bill 1415.

(Secretary reads title of bill)

Senate Bill 1440.

(Secretary reads title of bill)

Senate Bill 1447.

(Secretary reads title of bill)

Senate Bill 1449.

(Secretary reads title of bill)

*Notes on Final  
Bill List*

Senate Bill 1469.

(Secretary reads title of bill)

Senate Bill 1477.

(Secretary reads title of bill)

Senate Bill 1480.

(Secretary reads title of bill)

Senate Bill 1488.

(Secretary reads title of bill)

Senate Bill 1489.

(Secretary reads title of bill)

Senate Bill 1496.

(Secretary reads title of bill)

Senate Bill 1498.

(Secretary reads title of bill)

Senate Bill 1501.

(Secretary reads title of bill)

Senate Bill 1506.

(Secretary reads title of bill)

Senate Bill 1514.

(Secretary reads title of bill)

3rd reading of the bills.

PRESIDENT:

All right. The next roll call will be on final passage of the bills just read by the Secretary. There any discussion? If not, the question is, shall this series of bills pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. On these bills...have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On these bills, the votes are 58 Ayes, the Nays are recorded in the Office of the Secretary of the Senate,...none voting Present. This series of bills having received the required constitutional majority by record vote is declared passed. And the record vote of the Ayes and Nays for each bill passed shall be entered in the Journal. Reso-

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lutions.

END OF REEL

REEL #11

PRESIDENT:

Madam Secretary, have any objections been filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed.

PRESIDENT:

All right, if not, Senator Luft will then move that Senate Resolutions 270, 273, 74, 76, 77, 78, 279, 281, 282, 283, 284, 285, 286, 287, 268, 289, 290, 291, Senate Joint Resolution 53, House Joint Resolution 75, House Joint Resolution 77, 78, 79 and Senate Resolutions 292, 293, 294, 295 and 296 be adopted. All in favor indicate by saying Aye. All opposed. The Ayes have it. The Resolutions Consent Calendar is adopted. There are just a few more pieces of paper that the Secretary would like to clear up. Messages from the House.

SECRETARY:

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

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

House Joint Resolution 82. It is congratulatory.

I have like Messages on House Joint Resolution 33 and House Joint Resolution 84.

PRESIDENT:

Consent Calendar. Message from the Secretary of State.

SECRETARY:

To the Honorable members of the Senate, 85th General

Assembly, I have nominated and appointed the following named person to the office enumerated below and respectfully ask concurrence in and confirmation of this appointment by your Honorable Body:

Director of the Department of Personnel for the Office of the Secretary of State. To be the director of the Department of Personnel for the Office of Secretary of State for a term expiring December 31, 1986, William A. Rolando of Jerseyville. It's salaried. Respectfully, Jim Edgar, Secretary of State.

PRESIDENT:

Committee on Executive Appointments. Committee reports.  
SECRETARY:

Senator Savickas, chairman of the Committee on Assignment of Bills, reports that the following House bills have been assigned to committee:

Agriculture and Conservation - House bills Noed. 425, 540, 700, 2304, 2380; Appropriations I - House Bills 109, 416, 451, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 768, 774, 775, 779, 780, 785, 790, 793, 1065, 1163, 1363,...1636, 1685, 2043, 2049, 2050, 2756; Appropriations II - House Bill...House Bills 434, 699, 710, 769, 771, 776, 781, 782;...Elementary and Secondary Education - House Bills 155, 394, 507, 506, 509, 645, 672, 819, 1216, 1351, 1462, 1581, 1723, 1869, 1901, 2027, 2249, 2537, 2717, 2727, 2729; Higher Education - House Bills 180, 320, 1018 and 1485; Elections and Reapportionment - House Bills 143 and 593; Energy and Environment - House Bills 393, 715, 717,...1667, 1701, 2797; Executive Appointments, Veterans' Affairs, Administration - House Bill 2493; Executive - House Bills 472, 497, 542, 560, 703, 706, 709, 840, 941, 1032, 1063, 1064, 1123, 1219, 1560, 1602, 1645, 1681, 1918, 2407, 2446, 2476, 2680, 2610, 2837; Finance and Credit Regulations - House Bills 188,...801, 1605, 2166, 2788, 2793, 2795 and 2806; Insurance, Pensions

and Licensed Activities - House Bills 237, 1763, 2114, 2201, 2838; Judiciary - House Bills 176, 192, 326, 510, 549, 1628, 1693, 1940, 2146, 2180, 2330 and 2699; Labor and Commerce - House Bills 423, 755, 1848 and 2031; Local Government - House Bills 249, 269, 724, 730, 810, 869, 873, 930, 1104, 1237, 1256, 1291,...1376, 2084, 2748 and 2749; Public Health, Welfare and Corrections - House Bills 245, 546, 547, 548, 639, 655, 848, 887, 934, 1014, 2414 and 2844; Revenue - House Bills 164, 975, 980, 1274, 1419 and 1815; Transportation - 532, 687, 688, 689, 823, 1019, 1031, 1288, 1344, 1869, 2151, 2202, 2208, 2209, 2323...2341,...2494 and 2826.

PRESIDENT:

Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

Mr. President, I would move we adjourn.

PRESIDENT:

How sweet it is. Senator Weaver has moved that the Senate stand adjourned till next Wednesday at the hour of noon. Senate stands adjourned. Have a good weekend, everybody.

1  
01/05/88  
11:31

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