

84TH GENERAL ASSEMBLY

REGULAR SESSION

DECEMBER 3, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the hour of ten-thirty having arrived, the Senate will come to order. Members will be at their desks. All unauthorized folks will leave the Floor. Our guests in the gallery will please rise. Our prayer today is by Father Frank O'Hara, St. Peter and Paul Catholic Church, Springfield, Illinois. Father O'Hara.

FATHER FRANK O'HARA:

(Prayer given by Father O'Hara)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, reading of the Journal.

SECRETARY:

Wednesday, November the 19th, 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith. Senator Smith.

SENATOR SMITH:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion as posed by Senator Smith. Any corrections or additions? Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I move also that the reading and approval of the Journals of Thursday, November 20th and Tuesday, December the 2nd, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion of Senator Smith. Are there any...discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered. Resolutions.

SECRETARY:

Senate Resolution 1288 offered by Senators Geo-Karis and Barkhausen. It's congratulatory.

1289, by Senators Geo-Karis, Philip, Weaver, DeAngelis, Davidson and Schaffer and it's congratulatory.

And 1290, by Senator Sommer and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right, resolutions.

SECRETARY:

Senate Resolution 1291 offered by Senator Dunn. It's congratulatory.

1292 offered by Senator Demuzio, Rock and all Senators. It's congratulatory.

1293, by Senator DeAngelis, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right, the Senate will come to order. All unauthorized personnel please vacate. With leave of the Body, we'll go to the Order of Resolutions. Is leave granted? Leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1294 and 1295...offered by Senators Topinka, Hudson and Mahar. And they're both congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right, ladies and gentlemen, if I can have your attention a moment. UPI has requested permission to take still photos, as has Channel 7 and...has the Chicago Tribune. Is leave granted? Leave is granted. Senator Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

Mr. President, I have an agreed resolution. I wonder if we could go to that order...if you'll call House Joint Resolution 233.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

HB 913
App. Recommen. of
the Gov.

SENATOR NEWHOUSE:

I think the proper motion is...move that Senate Executive be discharged from further consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator, there are...there are some other motions and why don't we just hold till we get that order of business and...and we'll get to it momentarily. All right, we will begin on page 12...we'll begin on page 12 of your Calendar, motions in writing to accept the specific recommendations for change. Senator Barkhausen, are you ready to proceed? All right, on the Order of...of page 12...middle of page 12, motions in writing to accept the specific recommendations for change is House Bill 913, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 913 in the manner and form as follows. Signed, Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, the reason for the amendatory veto was to add into this bill which permits a court to impose an extended term sentence where a defendant has been convicted of...voluntary manslaughter or involuntary manslaughter or reckless homicide where the death has caused the defendant of more than one person and to these crimes of voluntary manslaughter or involuntary manslaughter or reckless homicide we're adding second degree murder. The reason for that being that we passed another bill, Senate Bill 522, which creates this category of second degree murder and which will replace voluntary manslaughter. So, it's...everyone agrees who's looked at this subject that this is something we ought to and I, therefore, ask concurrence on the Governor's amendatory veto.

*HB 1130
Spec. Rec. of the Gov.*

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 913 in the manner and form as just stated by Senator Barkhausen. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Tim. Tim. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 913 having received the required constitutional majority vote of Senators elected are declared accepted. 1130, Senator Netsch. All right, on the Order of Motions in Writing is House Bill 1130, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1130 in the manner and form as follows. Signed, Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 1130 as it actually left both Houses of the General Assembly had a number of provisions in it. It was kind of a Christmas tree of fairly technical revenue matters. There is only one matter that is at issue in the amendatory veto, and I will tell you what it is in just a moment. Yes, this had to do with the private car trade-in problem which Senator Rigney, Senator O'Daniel and others had been every painfully aware of. We did include a provision that...that treated the exchange of cars between private individuals the same as is true when you buy from a dealer. That is to say the sales tax will be paid only on one car and not on the full amount...the full value of both cars which is the way the Department of Revenue had been

interpreting it. We all agreed that was not proper and the bill does correct that. The one problem that was raised by the Secretary of State was...and to be perfectly honest, we're not quite sure why, was that the requirement for jointly filing both of the returns, the Secretary of State said was going to cause some confusion for them, and so the Governor acceded to that request and has taken out that provision only of the bill with an admonition both to the Secretary of State and to the Department of Revenue which had wanted the joint filing to begin with that they work together and find a means of making sure that this process is not going to be subject to any fraud or abuse. It was the concern of the Department of Revenue that it, like any other tax, is...is susceptible to abuse and that was the reason for the joint filing. The Secretary of State says, no; DOR says, okay, but we still have to work something out. The amendatory veto removes that requirement. That is all that it does to that particular provision, and while most of us would rather have it in, we accede to the Governor's wishes in this case and I would move to accept his specific recommendation for change.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, discussion?

SENATOR NETSCH:

One other thing I should mention, I'm sorry, partly...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Oh, Senator Netsch.

SENATOR NETSCH:

...yeah, partly because of the delay occasion by the fact that the bill is subject to amendatory veto, the Governor's amendatory veto also changes the effective date to January 1, 1987 from October 1, 1986. That does mean a delay of a couple of more months in the enforcement of these provisions, but, obviously, it has to be done because we're changing the

substance of the bill.

PRESIDING OFFICER: (SENATOR DEHUZIO)

...all right. Further discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1130 in the manner and form as just stated by Senator Netsch. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1130 having received the required constitutional majority vote of Senators elected are declared accepted. Chair would like to acknowledge the presence of Congressman Richard Durbin from the 20th Congressional District. Welcome to the Floor. The Congressman is not used to working in this...such a noisy vacuum. It's so quiet in Congress. All right, 1321, Senator Netsch. All right, House Bill 1321, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1321 in the manner and form as follows. Signed, Senator Netsch.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Again, House Bill 1321 as it left both Houses was something of a Christmas tree of technical revenue provisions all of which were, I think, totally acceptable to the membership. The amendatory veto deals with only one part of the bill and that has to do with the tax treatment of so-called subpart F income. The bill at the behest of the State Chamber of Commerce and other business groups does allow subpart F income as a deduction on State corporate tax returns. That is what the business community

wanted. There had been a dispute between the Department of Revenue and the taxpayers as to whether or not it was deductible. We have acceded to the business community's wish in this respect. The Governor said, however, that the...because it does have a significant fiscal impact for the State, it's going to mean about twenty million dollars loss from the corporate tax base when fully implemented, the Governor changed the effective date to tax years beginning...in 1938 rather than 1987 so that the General Revenue Fund would have an opportunity to adjust to this revenue loss and so that the department would have a chance and the taxpayers to adjust to the mechanics of it. There was also a purely technical change in reference within the bill. That is the only part of the bill that is dealt with by the amendatory veto and I agree with the Governor that it should be postponed as long as possible.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1321 in the manner and form as just stated by Senator Netsch. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1321 having received the required constitutional majority vote of Senators elected are declared accepted. 2648, Senator Barkhausen. On the Order of Motions in Writing to...to Accept the Specific Recommendations for Change is House Bill 2648, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2648 in the manner and form as fol-

lows. Signed, Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, the Governor's amendatory veto of House Bill 2648 has to do with only a small and...and fairly insignificant portion of the bill. This portion amended the Criminal Identification Section of the Criminal Code to allow the Department of State Police to provide criminal history information to the commanding officer of an armed storage facility. Here we're talking about the...I guess the National Guard or reserves. This...the Governor's specific recommendations for change is that the Department of State Police be allowed to impose a fee to provide this criminal history information as the department is presently permitted to do in similar situations, and I, therefore, move that we accept the Governor's specific recommendations for change to House Bill 2648.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2648 in the manner and form as just stated by Senator Barkhausen. 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. The specific recommendations of the Governor as to House Bill 2648 having received the required constitutional majority vote of Senators elected are declared accepted. 2757, Senator Luft. House bill...motions in writing, House Bill 2757, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2757 in the manner and form as fol-

lows. Signed, Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 2757...the subject matter, we froze for ten years the...EAV of a model home, and the Governor's recommendation simply requires this taxpayer applying for the freeze to make that application before January 31 so there would be...nowhere misinterpretation regarding the...implementation of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? All right, the...the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2757 in the manner and form just stated by Senator Luft. 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 none, none voting Present. The specific recommendations of the Governor as to House Bill 2757 having received the required constitutional majority vote of Senators elected are declared accepted. 2917, Senator Netsch. Senator Netsch. All right, on the Order of Motions in Writing is House Bill 2917, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2917 in the manner and form as follows. Signed, Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This is the bill which deals with the Pharmaceutical Assistance Act. The Governor has already signed one version of it in order to get it on its

way, but he amendatorily vetoed this version, I might say both versions were identical, on the premise that the language did not clearly limit the drugs to be used for diabetes to...or for diabetics to drugs that related to that condition. In other words, it says, "Beginning July...January 1, 1987, any insulin or other drug used by a diabetic." The Governor's point is that we intended to limit it to drugs to be used for the treatment of the condition of diabetes and his amendatory veto would make that clear by saying any insulin or other prescription drug used in the treatment of diabetes. In addition,...no, I think that's the only significant change...the only substantive change. I would love not to call this motion but it certainly isn't what we thought we were doing when we originally passed it. So, I would move to accept the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Wait a minute. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, will the sponsor yield for a question? In the original bill, I don't have it in front of me, was there a provision for needles for insulin? Can you answer that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Yes, the bill said beginning January 1, 1987, any insulin or other...or other drug used by a diabetic including syringe and needles used to administer the insulin.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Is the bill as amended by the Governor's veto does it still provide syringes and needles to be part of the...diabetic equipment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2917 in the manner and form as just stated by Senator Netsch. 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. The specific recommendations of the Governor as to House Bill 2917 having received the required constitutional majority vote of Senators elected are declared accepted. All right, Senator...Senator Joyce Holmberg, what do you...for what purpose do you arise?

SENATOR HOLMBERG:

With leave of the Body, I would like to have my name removed as the sponsor of Senate Bill 416 and have Senator Marovitz' name substituted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request. Senator Holmberg has requested to be removed as the sponsor of Senate Bill 416 and Senator Marovitz will, in fact, assume the sponsorship of that bill. Is leave granted? Leave is granted. So ordered. Senator Luft, bottom of page 12. On the Order of Motions in Writing Override Specific Recommendations is House Bill 787. The bottom of page 12, Mr. Secretary.

SECRETARY:

I move that House Bill 787 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senators Luft and Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. What I would like to do in the debate on this bill, which I'm assuming there will be some, is to try to establish the focus on what we're really talking about and that's the supplemental issue...license that is issued by the Secretary of State to individuals wishing to make off-site sales in the State of Illinois. The intent...the intent of the supplemental license was created to allow established dealers in the State of Illinois to make off-site sales specifically when malls became prevalent throughout the State and they wished to go outside their little area, have tent sales, or what I call mall sales; and in the past few years we feel like there has been an abuse of the supplemental license application and really establish two forms of car dealers in the State of Illinois, those that are licensed by the Secretary of State and have to adhere to special rules, special bonding privileges and whatever and that are controlled and regulated and those that come in, set up in an area one block away from a car dealership or anywhere, sell their cars and leave town, never to be heard of again. We simply think that there has been an abuse of this system. We are trying to restrict it. It is not a car dealers versus the credit unions or financial institutions, it's simply a way of looking at the supplemental license and trying to put a restriction on the way that the supplemental license is used.

PRESIDENT:

All right, Senator Luft has moved to override the Governor's specific recommendations for change with respect to House Bill 737. Discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This motion is really a bad idea and I think that in our discussion of what...of what the

Governor recommended, we should understand that in the amendatory veto the Governor suggested that the vehicles that are to be sold will be warranted by the rental car companies so that when the vehicle is sold to an individual, there is a warranty that goes along with this car. This warranty follows that car no matter where it goes. If a person buys a car in Illinois, there are locations in Illinois where that car can be serviced under this amendatory veto; if he leaves the State of Illinois and he goes to any other state in the union, there are locations in those states where the car can be serviced under a warranty. You have to also understand that these cars are sold cheaper to the individual under this amendatory veto than without the amendatory veto, twelve hundred...up to eighteen hundred dollars cheaper...a person can buy a car cheaper from a rental car agency because he is a member of a financial institution, a credit union that finances the car at a cheaper rate because he is already affiliated with that credit union. So, who are we protecting under this bill? Under the Governor's amendatory veto, we are protecting the consumer. Under Luft's motion, we're protecting the used car dealer. That's what it amounts to. Who are we going to protect? Are we going to protect the consumer or are we going to protect the used car dealer? Ladies and gentlemen, the Governor was correct in his amendatory veto. He made provisions in there that these sales must be made in conjunction with the credit...with the credit union or the bank or the...whatever savings and loan is involved in the transaction. That restricts the sale to bona fide purchasers that do business with those institutions. It's a well thought out amendatory veto. Don't reject it. Vote against this motion.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this motion. You can talk about many things...talk about the consumer, you talk about the financial institutions, et cetera, but you forget one big item, this area happen to been the recipient of one these tent sales during the time we were here in Session back in the early summer, one which was out on automobile row, one which removed a tremendous amount of potential used cars buyers from the market...forget one big item, each one of these car dealers who were in place carries an overhead known as employees, ones that you and I want to keep working. We had a couple of car dealers who had to lay off some people because they were the ones who got used cars ready for resale. With no sales, these people were layed off or unemployed. There's a loss of the sales tax to the local area. But more importantly, a couple who were just borderline dealers keeping their head above water before the new change in interest rates by the companies in the fall went belly up. You lost the real estate taxes from those businesses, you lost a lot of creditors who had credited that business who were...lost the money because the assets didn't cover the losses. Let's look at the whole big picture. This is a good bill, we sent it out of here 55 to nothing in June...or May, excuse me. Couldn't have been too bad a bill if it went out of here 55 to nothing, and suddenly not to override this amendatory veto and keep it in its original form, I think, is in error. I would appreciate a Yes vote to override.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in opposition to the motion. This bill was not the best bill in the world. The amendatory veto probably makes it a little bit better. I would first like to call the attention of the members of the

Body on...on a piece of literature which I has circulated which is a response by the Federal Trade Commission to an inquiry from Representative Hallock in the House. I will not go through the whole letter but let me read to you the summary. It says, "In conclusion, we believe that House Bill 787 as originally passed by the Illinois General Assembly would ultimately harm consumers of used vehicles." It further describes the fact that the Act is anticompetitive and it then suggests that Governor Thompson's amendatory veto of House Bill 787 substantially reduces the anticompetitive impact of the bill. Now, several speakers have addressed this issue. Senator Davidson, just for the record, if that car was sold in Springfield anyhow, you didn't lose any sales tax. But the point is that this bill without the amendatory veto is basically anticonsumer. What we're doing is protecting an industry, and I have no problem on occasion of doing that, but you know, I had a call from a car dealer in my district, probably one of the best entrepreneurs in my district. He not only owns a car dealership, he owns farms, he owns factories, and I said, Jack, I said, you're one of the strongest advocates of the free enterprise system I've ever seen, but it seems to me when you get the opportunity to stick it to somebody else, you're at the...as Harlan Rigney would say, at the trough quicker than anybody else is, and basically what this is is a protection for the car dealers. They've come down here, they've asked us to close places down on Sunday, which is the only industry that I know of and...I'll tell you, frankly, I voted for the bill, but then they got into exclusive territories, now they want to go beyond exclusive territories, they want to ensure that some poor person who wants to go out and buy a used car has got to deal with them when there are other opportunities. The report does point out the substantial cost to the consumer. The bill does, in fact, ensure that warranties will be on

these cars and the restrictive nature of the bill as it currently stands, I'm going to tell you folks, you may go out and defend a few car dealers, but you're really sticking it to a lot of people back home if you override this veto.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I thought that Senator DeAngelis very eloquently laid out the issues here. I think it's important to note that we're not debating whether the amendatory veto is good or bad. The issue before us is whether this bill as originally passed should become law or whether nothing should be done. That's our options today, because the amendatory veto was not called in the House for acceptance. So, if the bill gets thirty-six votes today, the bill as originally passed is law. If it gets less than thirty-six votes, nothing is changed in the industry. Now I think that the issue is one of free enterprise. The question is, are we going to allow an industry that sells automobiles, and the record shows that they can save over eleven hundred dollars per car to the consumer, are we going to let them to continue to operate or are we going to restrict their operation in favor of a particular part of the car industry. I want to come down today on the side of free enterprise and on the side of the consumer, and I'm going to vote No on the motion to override the amendatory veto. I'm going to vote No on this motion.

PRESIDENT:

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I don't want to prolong this debate unnecessarily, but there are just a couple of additional points that...that maybe ought to be made, one of which is that if this bill becomes law, these sales aren't

going to not take place. They're simply not going to take place in Illinois. These dealers in...in used car...these rental car companies will...will therefore have to go to one of our neighboring states, Wisconsin or Indiana, and those are the states which will be gaining the sales tax revenue rather than our State and rather are...rather than our communities where these sales would otherwise take place and...and have been taking place. An additional point is that besides adding to the cost of used cars, legislation of this kind would...would also no doubt add to the cost of...of renting a car. I am told that rental car companies typically sell their fleets or turn over their fleets on an annual basis. In other words, they sell their car typically after having held it for about a year, and if they are unable to do this or...or are frustrated in doing this or find it more expensive to do this, no doubt that that cost will...will be passed on to no one else other than the consumer. Like Senator DeAngelis, I feel that...that perhaps I have voted one too many times to restrict the free market as it applies to the sale of automobiles. I...I supported the Sunday closing law. I supported the restriction on opportunities to open a franchise within a certain mileage area and I've supported this legislation before; however, the focus on the bill that this...that this motion and debate has engendered has...has caused me to take a closer look at the issue and...and upon doing so, I feel quite strongly that we should not be supporting this motion. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, I rise in support of this motion. Not only do I think this bill gives a lot of protection to our downstate automobile dealers but also there's an amendment on there that addresses a tarpaulin

issue. It changes it from a moving violation to an equipment violation. This is very important to...to the people and I think that...that it should be a...an equipment violation but...and the owner of...of trucks and all should be responsible instead of the driver. I think this is a very worthwhile piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR LUFT:

Thank you, Mr. President. I hope everybody will listen to my closing because I'd like to point out that most of the people that have spoke in opposition to this bill really haven't considered the entirety of the whole situation. First of all, we are not trying to stop anyone from selling cars in the State of Illinois. If you listened to me when I started I said that we were trying to focus on the supplemental license and the supplemental license only, and if we wanted to protect the integrity of anything, it would be to protect the integrity of the intent of the supplemental license. Now, let me tell you about the credit unions and the rental cars, and all they have to do...nobody is stopping these sales, if they want to make a sale and they can sell these cars by strictly coming to the Secretary of State's Office, getting a license as a used car dealer in a specific spot in a town and sell them twelve months a year. We're not shutting off the sale of these cars, in no way, we're doing it by use of the supplemental license, yes, but we're not doing it by saying that...we are allowing them to come in and sell cars twelve months a year, three hundred and sixty-five days a year, by simply making an application to be a car dealer. All you got to do is have a bond and a license. There's eighty dealers in this county right here. I mean, there's enough competition going around there right now. If

there wants to be ninety, then let the credit union, let Avis, let Hertz, let National come in and establish a lot somewhere and sell their cars there all the time. We're not trying to stop the sale of these cars. Those people that you said get the break, that's fine, let them sell their cars at twelve hundred dollar less, we're not trying to stop that at all. I simply...and what we're simply trying to do is to restrict what was originally thought to be the use of the supplemental license. No one is trying to be anticompetitive, no one is trying to stop the sale of cars. What we would like to do, simply, and I hope everybody is listening, is to restrict the supplemental license; and then let me...let me...let me point out one thing, and I hope all of you seriously listen to this very closely. The way that the Governor has amendatorily vetoed this bill, anybody now, including new car dealers and used car dealers, have to go through a financial institution to have a sale. Now that's really bad. He just included every car dealer in the State of Illinois having to go through a financial institution. That's my interpretation of this. So, as far as I'm concerned, the amendatory veto is worse than any bill that we've ever started off with. I would hope that you will join me in restricting the use of the supplemental license. If anybody next year wants to come in and sit down and discuss the matter further, we'll do that. Meanwhile, I'd ask for your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

And the question is, shall House Bill 787 pass, the specific recommendations of the Governor to the contrary notwithstanding. 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 25, the Nays are 27, 1 voting Present. House Bill...the motion having failed to receive the three-fifths

vote is declared lost. Next order will be on page 11, motions in writing to override total vetoes...middle of page 11, motions in writing to override total vetoes. Our first bill is House Bill 2735, Senator Luft. Mr. Secretary, House Bill 3431, Senator Hall. Mr. Secretary, read the motion.

SECRETARY:

I move that House Bill 3431 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Hall.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3431 provides a stipend for county treasurers of thirty-five hundred dollars a year as a result of additional legislative mandated duties as follows. This Act establishes and authorizes a system which requires the treasurer to obtain a consent form from the property owner, trustees or powers of attorney before a change of address can be completed. It added changes...as a new responsibility for the treasurer. The treasurer must list on each tax form breakdown of tax dollars that are paid to the library districts. These are all additional duties that we have mandated. The treasurer may now collect and invest additional quarter-cent sales tax. The law requires this on monies that stay in the county's general fund. This requires consolidation of levies and a complete revamping of the entire bookkeeping operation. Also, Public Act 84-449, the county treasurers are now required to notify the lien holders annually upon request by certified or registered mail for an application of judgment prior to tax sales. The interest earned on county collectors' money must now be paid back to each taxing district. So in effect, the treasurer is investing their money for them and then must prorate the interest

back to them on a monthly basis. This is a result of a court decision of the Village of Pawnee versus Sangamon County. We have added numerous additional funds and the Automation Fund for circuit clerks and recorders, the Court System Fund for judges, the Drug Traffic Fund for the sheriffs, the handicapped coordinator for county revenue sharing and numerous law enforcement funds. We have added all of these additional with many others. They all must...they also establish escrow accounts for taxing agents for payments of their bonds and warrants. This is in addition to their normal duties. This is a stipend and I think that the county treasurers are entitled to this, and I would ask your most favorable support for this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Etheredge. Is there further...any further discussion? If...Senator Etheredge...the question is, shall...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this motion, and I also intend to support Senator Vadalabene's bill which will provide a similar stipend for the county recorders. I think this is long overdue. This bill passed out of here virtually unanimously and I think the Governor made a mistake and we ought to rectify that. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. In past years we have granted these stipends to the county clerks, but what happens is the county board just reduces the amount of money that the county puts into their salary and they end up not getting the additional stipend or thirty-five hundred dollars, so...we had an occasion in my district where one of the officeholders took

the county to...to court to try to mandate that they get this over and above what he was getting and...he lost the case...this not going to assure any treasurer a thirty-five hundred dollar increase, it's just going to reduce the cost to the counties by that same amount, so I stand in opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR HALL:

Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 3431 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none voting Present. The bill having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. On motions in writing to override item vetoes, House Bill 2989, Senator Sangmeister. Read the motion, Mr. Secretary.

SECRETARY:

I move that the item on page 38, lines 31 through 34 of House Bill 2989 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Sangmeister.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. This is, of course, as the Secretary has read, a motion to override a line item. What this involves, if you recall several years ago, Representative Jack Davis and myself, on a bipartisan basis, put through legislation which is law that

where a school district has a public institution such as we have in this...in Will County, the Chaney Monge School District which occupies forty-five percent of the total district is within the Joliet correctional system. You can imagine the assessed valuation that is, obviously, lost because of this. That was the reason for the legislation. The Governor signed that into law and they have received money previously and, of course, they are relying on these funds. For whatever reason, he vetoed out that amount this year and is practically destroying the Chaney Monge School District. So, it's very important. The House recognized this over there and...and voted overwhelmingly to override the amendatory veto and I'm hoping for some bipartisan support here. This is very important to Chaney Monge. They are a small school district. Without these funds, I don't know how they're going to operate this year. I don't understand the...the reasoning of the Governor other than to try to save money, but this is one district which where the money should be expected because it's the law, and when it's a law of the State of Illinois, then we ought to fund what we put into law; and that's what we're asking here. I sincerely ask your help in the override.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the item on...the item on page 38, lines 31 through 34 of House Bill 2989 pass, the item veto of the Governor to the contrary notwithstanding. 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...take the record. On that question, the Yeas are 27, the Nays are 17, none voting Present. The item on page 38, lines 31 through 34 of House Bill 2989 having received the required three-fifths vote is declared passed, the item veto of the Governor to the contrary notwithstanding. House Bill

2995, Senator Leitch. Mr. Secretary, read the motion.

SECRETARY:

I move that the item on page 9, lines 1 through 5 of House Bill 2995 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senators Leitch and Luft.
PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Leitch.

SENATOR LEITCH:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. This addresses a problem which Senator Luft and I have worked throughout the Session to try and correct and which my predecessor, Prescott Bloom, was working very hard to try and correct. The situation is one where the...it's a two hundred and twenty-eight thousand dollar reimbursement for funds which have been expended for psychiatric and psychological counseling by the Human Service Center of Peoria. What's happened is that these services were routinely provided for years in a relationship with the Department of Mental Health and paid for by the Department of Public Aid. A few years ago that arrangement was changed and the contractual basis became one between...directly the Human Service Center and the Public Aid Department and they began to get into a number of disagreements about rules and regulations and while this was going to be worked out next month or the month after, next year, the Human Service Center continued to absorb these expenses because in Peoria, Illinois, these services are urgently required, and as a result of this, what has happened, the Human Service Center has been forced to make severe cutbacks. They've already laid off over ten percent of their work force. The secretary...or the executive director of the agency doesn't even have a secretary anymore because they are struggling to continue to provide these services while this matter gets resolved, and I would very much appreciate your support in helping us resolve

this issue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Only to echo Senator Leitch's comments and would hope that those on my side of the aisle over here would support his motion to override.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

...thank you, Mr. President and Ladies and Gentlemen of the Senate. This is, as I understand of the sponsor if he will yield, is for two hundred and twenty-eight thousand dollars. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates it is.

SENATOR ROCK:

Is it true that the center which is now seeking this two hundred and twenty-eight thousand dollars is currently being sued by the State for the recovery of approximately a hundred and seventy-two thousand in payments for services that were not rendered according to regulation?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Leitch.

SENATOR LEITCH:

Yes, this...this a related issue but a different issue. The...the suit is over whether a psychiatrist actually has to be the one to administer counseling services or whether a psychiatrist can direct staff to administer these services as they had done for a long period of time; and so what has happened is while this dispute has...has been at work trying to sort this out from a regulatory standpoint, the...the agency at...with the encouragement of the parties involved has continued to provide these services, and the issue simply has

not been resolved and it has caused greater and greater problem for this agency. If this thing gets turned down, what it means is is the people in...in our community, in central Illinois, who need help the very most aren't going to get it and they're down here...they're not down here with lobbyists, they're not down here...these are people who need help the very most in our community.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, I...I, frankly, disagree with that and...and...for this reason, that the money that's being sought here, as I understand it, and, frankly, I'll stand and say it appears the Governor was right for a change when he vetoed this, because the appropriation here at issue is being requested by the center to reimburse them for services, services provided in 1984 and 1985 when this center was not, not, I repeat, an enrolled Medicaid provider. The problem with this appropriation, my friend, is that it will set a precedent to allow payments to vendors who are not qualified under the guidelines. We simply shouldn't do that. I mean, they're either qualified or they're not, and if they're not, they are not entitled to reimbursement. I suggest this is not a good motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR LEITCH:

No, the issue that you're now describing relates to one specific program, one specific means of providing these funds through a Federal source and there are many other ways to do it. It's done other ways all throughout the State, and, in fact, in the Chicagoland area and other places in this State, these services are often billed through a clinic or through a

hospital and so as a result, they don't show up. In downstate and other smaller communities where these type of services are provided by a human service agency, they run afoul of this glitch in the law, and I'm hopeful that we can bring this agency back to zero and continue to work for ways to straighten out this other fundamental part of the problem, but it is not part of the problem to be driving the human service center into bankruptcy while people are trying to sort out this issue, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the item on page 9, lines 1 through 5 of House Bill 2995 Do Pass, the item veto of the Governor to the contrary notwithstanding. 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 26, the Nays are 20, none voting Present. The motion having failed to receive the three-fifths vote is declared lost. House Bill 3191, Senator Poshard. Senator Poshard, do you wish to go with your motion? Read the motion, Mr. Secretary.

SECRETARY:

I move that the item on page 4, line 24 through 30 of House Bill 3191 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senators Poshard and Dunn.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. This would restore two hundred thousand dollars to the Department of Energy and Natural Resources for the purpose of establishing and operating an Office of Coal Marketing which would be used for promoting and marketing Illinois coal, both domestically and internationally. Presently, there's only person in the State in the Department of Commerce and Community Affairs that has any responsibility at

all for the promotion of Illinois coal. DENR has a coal development division. They have expertise regarding Illinois coal and this bill gives them specific statutory authority direction to work with DCCA in the promotion of Illinois coal. The two hundred thousand dollars is needed to fund the program. Illinois coal is in difficult straits right now. We have nearly sixty percent of our miners out of work. We need a concentrated marketing effort to help new and expanding industries, new industries which may be wanting to move into this State, to consider the merits of using Illinois coal. I would appreciate a favorable vote on this motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President and members of the Senate. I certainly agree with Senator Poshard that this is a bill that's really needed in the coal industry. The Governor signed the bill creating the department...or the Office of Coal Marketing, but he failed to be able to fund it and this is, I think, very much needed. It's two hundred thousand dollars. We've spent a lot more for a lot of things that are less important and I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR POSHARD:

Yes, I would just ask for a favorable vote, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the items on page 4, lines 24 through 30 of House Bill 3191 Do Pass, the item veto of the Governor to the contrary notwithstanding. 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 38, the Nays are 16, none voting Present. The items on page 4, lines 24 through 30 of House Bill 3191 having received the required three-fifths vote is declared passed, the...line...the item veto of the Governor to the contrary notwithstanding. Top of page 12 on House Bill 3191, we have a motion by Senator Barkhausen. Senator Barkhausen, do you wish that motion read? Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

I move that the item on page 4, lines 31 through 35 and page 5, lines 1 through 3 of House Bill 3191 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, unlike the other items we've been discussing here this amount is...is not a grant but is a loan. And...while it...it's in the amount of three hundred and seventy-five thousand dollars in the form of a loan, as I say, to the Warren Township High School District in Gurnee. This school building, the...the one school building that this district has had...was burned to the ground and substantially destroyed two years ago. As a result of the fire, the district has had to...to temporarily relocate, to rent a...another high school campus that had been vacated, to transfer the students to this location, to pay teachers overtime; and all told, they are incurring expenses approximately twice those that...those that we are proposing to...to loan them, both by means of this measure and a loan that we gave them last year. We had put in last spring for a...a loan of...of twice this amount, of seven hundred and fifty thousand dollars; at the suggestion of Senator Carroll and others, we reduced that amount to this three hundred and seventy-five thousand dollar figure which, of course, cut it in half, and...the Governor, to the surprise of many of us, had...had vetoed it. However, the administration did not strongly oppose this measure in the House, it came out 112 to nothing. And I would just also like to point out, I don't

find myself guilty of special pleading very often, but this district is in Gurnee and many of you I am sure are aware that...that Gurnee was among the hardest hit perhaps the hardest hit community in the State in the flooding that...that part of the State experienced this fall. And, in fact, it was the hardest hit from the standpoint of public...having public facilities affected by the flooding, all the municipal buildings and two out of three of the grade school buildings were...had to be closed, and one of which will be permanently closed and has been condemned. So, we're trying to provide a very modest form of relief to the local taxpayers who were previously victimized by this fire to the...to the high school. And, as I say, it is a loan...we...the district has already begun to repay the State for the loan that we granted them...last year, and in time, the State will recoup all of the money that we're seeking to provide them here. I would, therefore, ask your support of my motion to...to override...the Governor's veto of this specific item.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On discussion, Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, what Senator Barkhausen said is absolutely true. This money is a loan and we...this area was devastated by the floods. In fact, I went on a motorboat on a State highway right around that school 'cause the water was three and a half feet high when I went to inspect the damage. And they've had terrific expenses and this will be repaid. They are raising the tax to pay this back to the State. So we would appreciate a favorable consideration on this motion to override the Governor's veto on it, because I think it's...it's really necessary to the well-being of the school. Right now we got the children of the school being bused to

a...to Lake Forest which is about twelve miles away and...to have classes, we're trying to get this thing done. So, would appreciate your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Just a question or two of the sponsor, if he would.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR BERMAN:

So that the record is straight. There was authorized a nonreferendum tax levy to...to raise money to pay this back. Question one, was that tax levied by the school district? Number two, has money been paid back on the...original loan?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

The answer to both questions is yes. It's a...it's a nickel levy, it has been imposed, the proceeds...all of the proceeds from the first year of that levy have been returned to the State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR BARKHAUSEN:

I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the items on page 4, lines 31 through 35 and on page 5, lines 1 through 3 of House Bill 3191 Do Pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that

question, the Ayes are 54, the Nays are none. The items on page 4, lines 31 through 35 and on page 5, lines 1 through 3 of House Bill 3191 having received the required...three-fifths vote is declared passed, the item veto of the Governor to the contrary notwithstanding. On motions in writing to restore item reductions we have House Bill 2996. Senator Carroll, do you wish your motion called? Page 12 of the Calendar, Senator. Whenever you're ready. At your leisure. Read the motion, Mr. Secretary.

SECRETARY:

I move that the item on page 3, line 15 of House Bill 2996 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Pardon me. Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a...monies that were for the local health departments in providing basic health services. Senators Watson, Holmberg and I were the original sponsors of this. The House had successfully overridden the veto. This is for, again, local public health agencies to receive a dollar of State support for each Illinois citizen. The local health departments are obviously the front line on the communicable...disease issue and therefore the House and I would suggest we also...restore the line item to the way in which it had passed the General Assembly. This is nine hundred and sixty-one thousand again for what is considered and called basic health services.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR SOMMER:

Senator Carroll, could you more fully explain this item, that is money apparently going to local health departments? Is it over an above what they received last year? And if so, how much? For what reason did the Governor veto it? I mean, it's our understanding he maintains his opposition and we're not...we'd like to know why.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Yes, Senator Sommer, it is over and above that which was spent in Fiscal '86. This is the monies that go to your local health agencies, your local health departments for this basic health service grant. It was a 7.5 million dollar line item, we added nine hundred sixty-one thousand dollars to provide this dollar per roughly...well actually it's not yet, it's about seventy-five cents per citizen. With requests emanating from our local health departments around the State, it is my understanding that the Governor has not changed his position on it, at least not to my knowledge. But this was again a request from the local health departments to fund the agencies that actually provide the service. Their effort is to get to a dollar per citizen, this would fund them at about seventy-five cents. This is...this would give them about a 7.8 percent increase over Fiscal '86.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR CARROLL:

I think that was explanatory and I would ask for a favorable roll call. This is a reduction veto.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the items on page 3 of line 15 of House Bill 2996 be restored, the item reduction of the Governor to the contrary notwithstanding. All 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 32, the Nays are 23, none voting Present. The items on page 3, line 15 of House Bill 2996 having received the required majority vote of Senators elected is declared restored, the item reduction of the Governor to the contrary notwithstanding. Channel 3 is requesting permission to film the proceedings...up gallery. Any objection? Hearing none, permission is granted. House Bill 3090, Senator Poshard. Read the motion, Mr. Secretary.

SECRETARY:

I move that the item on page 19, line 32 of House Bill 3090 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Poshard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. This motion would restore two million seven hundred and fifty-one thousand dollars to gifted education in the State of Illinois. This represents the increase which we passed in June to reimburse school districts for the additional cost that they have incurred in developing in-district programs for gifted children. Mr. President, I'd like to explain for just a moment, if I may, the need for these additional monies, and I think I have to approach that explanation by at least describing in some general terms the State gifted education program. First, the program is open to every school district in the State, and currently we have eight hundred and forty-six school districts participating including the largest school district in the State, Chicago,

right down to the smallest rural districts. Each school district identifies its very highest intellectual, academically and creatively gifted students through various criteria including a...a national achievement test scores, high grade point averages and teacher evaluation. Special curriculum and activities are then designed to meet the needs of these students, most of them in the area of math, science, language and problem solving skills. This curriculum is designed to challenge the students to reach their maximum intellectual and academic potential. Not only does the special curriculum and the special activities, such as the Scholar Bowl, the Creative Problem Solving Bowl and others, not only do they have to be developed but teachers who work with these children have to undergo a lot of specialized training to be able to teach them. Now the problem we have in gifted education in the State, actually in the whole country, which accounts for the reason that the education of these children is never really adequately funded is a philosophical problem. Mr. President, can we have some order, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Can we have a little order.

SENATOR POSHARD:

We live in a democracy, we share certain egalitarian concepts and when we hear the word "gifted children" we immediately think that this is some sort of elitist program, it's somehow anti-democratic, it caters to an intellectual elite. This is the farthest thing from the truth. These children exist in every community, they are of every social, economic, racial and ethnic background, they just happen to be bright, academically successful youngsters which the regular school curriculum simply does not challenge. We suffer very greatly in terms of our educational philosophy in this State and in this country. We have a philosophy that says in essence, everyone should regress to the mean. If a child is below the

average we spend hundreds of millions of dollars to bring them up the average and rightly so. We have a social and even a moral responsibility to take developmentally disabled children and make them productive citizens. But what we say to the eighty-four thousand identified gifted, academically and intellectually and creatively gifted youngsters in this State is you have to come down to the mien, you're out there on your own to achieve on your own. And the sad fact is is that regression to the mien is not a democratic concept, that has nothing to do with democracy; democracy says that we take the student from where they exist and we help them develop to the maximum of their potential, that's what democratic concepts imply. We say just the opposite, we say let's everybody be average and that has nothing to do with the basic tenants of a democratic philosophy. Most of these students survive, most of them get through not because of the system but in spite of the system. I think that we have to show these students who, by the way, as a group of gifted students have the highest attrition rate of any group of students in our school system. The highest drop-out rate of any group of students are our gifted students. They don't make it through and whatever good and whatever potential they would eventually give to society is lost because they're dropping out at a rate of twenty-six percent don't even finish high school. I would hope that we would restore these reductions to at least show a renewal of commitment to the fact that these children deserve the special attention in the way of curriculum and teacher training and help to reach their maximum potential just as every other student does. I would ask for an Aye vote on restoration of these monies.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On discussion, Senator Schaffer.

SENATOR SCHAFFER:

Well, I happen to share the previous speaker's concern

with programs for the gifted. Obviously, this dollar amount spread Statewide will not have a tremendous impact. I'm kind of curious as to exactly who gets the money, because my school districts who are not the least bit shy, and I emphasize, the least bit shy, to tell me when there's something they want, have not contacted me. Not one school district has sent me a letter or post card, a phone call, anything. I have to conclude that the money is going to somebody else's school districts. And, frankly, even if it was going to my school districts, I'd have to ask exactly where we're going to come up with all this money. I don't...either party and I certainly don't...the Governor that's supportive of a tax increase next year. I'd like to see us sort of rein in here if we can and reexamine these priorities. And as someone who is supportive of gifted, I...I would be more impressed if I'd had some contact for my district on this issue. And if...if someone is trying to get through to me on this, I am unaware of it and normally my gifted people are very, very good at that. I have to conclude and I'd suggest that all of you think about how much pressure you've had on this one, and if you haven't had pressure, I'd suggest you...either you don't get any or you don't get much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAHELL:

Thank you, very much. Unlike my former...my...my colleague, I have received a few phone calls on this particular bill, perhaps because I too feel that the gifted have long been neglected. Twenty-six percent of our brightest students are dropping out of school, twenty-six percent. That's a twenty-six percent dropout we cannot afford in this State. This is the area where our future leaders, our future scientists, our future politicians will be coming from. And if we continue to allow this drop-out rate because these

children are not challenged enough, then we are losing one of the best assets that this State has got. I support the motion and I would suggest we go along with overriding the veto.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR POSHARD:

Yes, thank you, Mr. President. Just in answer to Senator Schaffer's question. The money goes to every school district in the State who applies for a gifted program. It can be developed in any school district in the State. There are currently eight hundred and forty-six school districts which have bona fide gifted programs, identified gifted children to which this money would be directed. It is not discriminated on the basis of region or school district at all. I would just ask for an Aye vote on this. I think these children represent the best of our school districts in terms of their ability to solve problems. As Senator Fawell has just stated, the future problem solving ability of our society may very well lie with these children and their ability to meet our societal needs. I would appreciate a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the items on page 19, line 32 of House Bill 3090 be restored, the item reduction of the Governor to the contrary notwithstanding. 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 35, the Nays are 12, none voting Present. The...items on page 19, line 32 of House Bill 3090 having received the required majority vote of Senators elected is declared restored, the item reduction of the Governor to the contrary

notwithstanding. While we are on this order of business, having just distributed on your desk is our Senate Calendar Supplemental No. 1 dated Wednesday, December 3rd, 1986 with motions in writing. I ask leave to add two additional motions to our Supplemental Calendar No. 1...four more additional motions to Supplemental...Calendar No. 1. First is a motion to restore the reduction veto on page...line...page 7, line 25 of House Bill 2995. The second is a motion to override the item veto on page 39, lines 25-28 of House Bill 2989. The third is a motion...to restore the item reduction on page 18, lines 11...8...11 and page 18, line 17 of House Bill 3090 that the items be restored. And the fourth...I'm sorry, there were three items. Is leave granted? Hearing no objection, leave is granted. With leave being granted, those three additional motions will be added to our Supplemental Calendar No. 1. Now, on our Supplemental Calendar No. 1, motions in writing to restore item reductions, we have House Bill 2989, Senator Hall. Senator Hall.

SENATOR HALL:

Hold that for a few minutes will you, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have...on House Bill...on House Bill 2995, Senator Carroll has a motion. Would you read the motion, Mr. Secretary.

SECRETARY:

I move that the item on page 7, line 25 of House Bill 2995 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SECRETARY:

That's the one that we added, Senator Carroll, that's not the one that's...typed.

SENATOR CARROLL:

Is that the one on the Calendar?

SECRETARY:

Uh huh.

SENATOR CARROLL:

Would you...is that the domestic violence and homeless shelter?

SECRETARY:

I have...I have no way of knowing.

SENATOR CARROLL:

Can you give me the lines again, please?

SECRETARY:

Page 7, line 25.

SENATOR CARROLL:

All right. Thank you, Mr. President, Ladies and Gentlemen of the Senate. This was a reduction by the Governor in the line item for homeless shelters. As we all know, the Governor has seen the error in his ways and has requested funding. He, in fact, has...requested almost twice this amount in the form of a supplemental. We just had a meeting upstairs where we had indicated we would request an over...a restoration of the dollars at this level and then a funding for the difference in a supplemental. The House sought to restore it as well. The Governor has indicated that the monies are needed for homeless. We believe that the best way to handle it is to restore this line and add the difference. I don't think anybody is in any disagreement on the issue of providing funding for the homeless. This would be the fastest and cleanest way to do it. We would move to restore the seven hundred and sixty-nine thousand dollars for the homeless shelter line, the reduction veto of the Governor to the contrary notwithstanding.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President...Mr. President and members, it is my understanding that the Governor has agreed to fund this particular item. He would prefer to fund it through the supplemental bill which is being currently constructed and it is, in fact, in the supplemental bill tentatively...if I'm informed properly. Incorrect, Senator Carroll? Okay. Will you clarify it for me, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Yeah. Senator Sommer, my apologies. We had a long meeting and discussion upstairs. We had indicated this was our preference of dealing with this and domestic violence. The representative of the Office of the Governor had indicated as long as that did not mean we were doing a lot of others by way of override that did not bother him; his concern was opening the floodgates to a thousand other items. I had indicated that in my opinion that did not, we preferred this. He had thought either way was okay; however, if it meant a lot of other overrides, obviously, he didn't like the idea. We feel this is the best way to do it. We do not believe that this has any semblance of...quid pro quo for any other overrides. This does not mean any support on any others for any other issues and we believe this is the better way to do it and do it now and get it out of here and add the difference in a supplemental when it comes by.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Sommer.

SENATOR SOMMER:

Senator Carroll, would...would you be so kind as to hold this, we're getting different signals here. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senator Carroll, would you...do you...wish to proceed with your other motion? Take

it out of the record. On House Bill 3090, motions in writing to restore item reductions. Senator Newhouse, we have a motion. Read the motion, Mr. Secretary.

SECRETARY:

I move that the item on page 21, line 16 of House Bill 3090 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senators Newhouse and Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Let...let me just repeat for the benefit of the Assembly some of the things we already know and that is the cost of the high drop-out rate to society on the long-term. We're looking at a demographic that says that our next population for either the labor market or for higher education is going to be unprepared. On the other end of the spectrum, we have a rapidly expanding elderly population requiring more health care services, more social security, more pension benefits and somebody has got to pay for it. If we continue to let our youngsters drop through the cracks in this fashion, we're going to pay a terrible price in the long-run. So it's on that basis that I ask to restore this three and a half million dollars. Now last spring the Senate voted thirteen and a half million dollars out for this education program. The Governor vetoed this 3.5 mill. and...what happens is that four thousand kids are going to be without services. So, I would ask for a favorable roll call on this...or on...ask that these dollars be restored.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Etheredge.

SENATOR ETHEREDGE:

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

Senate. I am very much in sympathy with the intent of the program. However, I would remind everyone that the funding level that is projected for the present fiscal year is the same level of funding that was available in the prior year. This is...there is no net reduction in the funding level, and what is being proposed here is an addition of three and a half billion dollars that is not apparently going to be available to us to spend. So as much as I like the program, as much as I think it is...it serves a useful purpose, I think this is the wrong time to...to add this money. I would ask for a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. I...I rise, too, reluctantly to oppose this motion to restore. As a strong supporter of this program when we dealt with educational reform, I...I understand and believe, as...as Senator Newhouse has suggested, it's a very worthwhile program. But, folks, there was some very carefully calculated reductions by the Governor when we...when he went through this whole process; and if we begin to...or continue to override and...and allow these...these motions to prevail, what's going to happen is next spring when money is simply not there, we're going to get into proration and then heaven only knows what areas are going to be cut. So when you restore this money, keep in mind that come next May money simply is not going to be there. And somebody else, someplace, with a very worthwhile program is going to be affected. For those reasons, I rise reluctantly to oppose this motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I rise in support of this motion. Rockford, within my district, has one of the highest drop-out rates in the State. There were times when that was not as much of a negative as it is today because many of those students could easily find work in our community. As the machine tool capitol of the world, apprenticeships were readily available, those people became very significant wage earners and were well able to support families as they moved into their future. That is no longer possible. We are living today in a very different world where high school graduates are needed to work in our high tech. industry, even in the machine tool industries that remain. These are the students that if we keep them there, and remember this is labeled a prevention program, many of the programs we're talking about in education are not that, for around two hundred and fifty dollars a year per student we can perhaps keep them until they graduate. If they take the wrong direction in life and end up in our Department of Correction system as an inmate, we're going to spend some twenty-five thousand dollars a year on them versus two hundred and fifty dollars a year. That is not a cost saving. In addition, anyone who finishes high school can earn some two hundred thousand dollars more in a lifetime. Think of that...what that means to the State in increased income and income taxes, in sales taxes paid. This particular program is one that is dealing with human concerns and is dealing with financial concerns. This is a cost savings to the State of Illinois, it is necessary component in our education program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President, members of the Senate. Yesterday we had a vote and Senator Maitland was on that vote, and I asked him about whether this was in the budget or

not and it was not in the budget, the Governor had vetoed it, but it was a good program. Senator Maitland was in favor of overriding that veto, restoring that money and it was a good program, it dealt with education reform and we did, in fact, restore that money. This, again, is a good program, a needy program and the money should be restored. We deal with four thousand kids who are taken out of this system if this money isn't restored; three thousand kids who have been kept in school and would have to be taken out of programs, one thousand kids who were on the streets, brought back into the schools, brought back into a program and would have to be taken out of the programs. This...this money would help these kids and give...give them a last chance. As Joyce Holmberg said, it would keep kids off welfare, get them to pay taxes, make them productive members of society and give them a last chance. This is where our priorities ought to be. We talk about a lot of unnecessary programs in this State but this is where our priorities ought to be, and I think that restoring these necessary dollars for four thousand kids who need counseling, who need after-school programs...we took committees...we took our Judiciary Committee to high schools around the State of Illinois and the kids unanimously said, we have no one to talk to; our parents aren't home, we may have one parent, they...they're working all the time, we can't even get in to see a counselor in school, we turn to gangs because they're the only family that we know, we don't have anybody to talk to. This money provides for counseling so that kids will have someone to talk to. It provides for after-school programs. Let's put our priorities in order, ladies and gentlemen, and vote to restore these necessary dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Netsch. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I think most of the substantive arguments have been made and made several times now. I would just like to underscore two things. One, I remember, I think it was yesterday, Senator Maitland, asking a question of you because the Governor had requested that one amount of our overall education reform funding be restored, that for vocational education instructors at the level, as I recall, of about a million and a half. I understand that that was taken out of the record. But that was a...an affirmative request from the Governor that some of the money that he had reduced be restored. And I asked then not that that program was wrong but why only that one? Because there are other parts of the education reform package that are absolutely as critical as that one was, and this is certainly one that I had in mind. It is maybe not the most compelling in terms of gifted children or something of that sort but it is the one that has the most direct return to us in terms of even economic let alone human terms. It does prevent that which we pay for over and over and over again in other respects. It makes so much sense that the Governor cannot possibly say, put the money back in for vocational instructors but don't give the money back for this program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I think Senator Netsch and Senator Marovitz and the other speakers have, in fact, said most of what need to be said here. However, there is one point that I think need to be emphasized and we cannot overemphasize the point. The choices that we have here is very simple and we better recognize that, that if these young people is not in school and lack the minimum prerequisites and basic training to enter

into a job training programs that they will be innocent prey to the drug culture and become involved in the trafficking of drugs in our community. That is a very attractive option to many of our young people and we have to face that reality and that responsibility and make sure that we make whatever necessary...do whatever is necessary to ensure that they have an alternative to becoming a part of the drug culture and drug trafficking in the State, because it is a very attractive option to them, and thousands upon thousands of our young people are participating in the sale and the trafficking; and they've also developed a thing which you call a watch beat where you have young people stand and watch and that's why drugs are so prevalent in our communities and being pushed right in our communities, and the police is unable to...to...to...to crack down on drugs because they've got little kids out on the streets who've dropped out of school who's playing watch for those people in our community. If we get these people off the streets, we're not spending near enough money, and this is not enough money. We have to get our priorities right, as Senator Netsch said, that's what we're talking about. A few minutes ago we passed it...passed and restored money for the gifted children, that was a need also. But in terms of priorities that most certainly was not a greater need as this need to do something for these children, because it's not just this three thousand dollars we're talking...three million dollars, we're talking about taking care of them for the rest of their lives and their families and also the cost that it's going to cost us for them spending a lifetime into a mental institution or the criminal...criminal institutions in this State. So, I think it is...foolish for us to not to put this money back in the budget.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Newhouse may

close.

SENATOR NEWHOUSE:

Thank you, Mr. President. I...I'd like to respond to Senator Etheredge because he made a point that I think needs to be clarified and that is that this is additional money over and above last year. It's my understanding, Senator, that the dollars that were spent last year were prorated over a period of about six months. So, in fact, it is not an increase in dollars that we're talking about. That is a major point and I want to make sure that that's...that's clear. But the even more telling point in the judgment of many of us on this side and on that side I do believe is that we simply cannot afford to keep future wage earners out of the market. We cannot afford the lost wages. We cannot afford the lost tax base. It's on that basis that I would ask for a favorable roll call on this bill.

PRESIDING OFFICER: (SENATOR DEWUZIO)

The question is, shall the item...the question is, shall the item on page 21, line 16 of House Bill 3090 be restored, the item reduction of the Governor on the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 26, none voting Present. The item on page...21, line 16 of House Bill 3-0-9-0 having failed to receive the required majority vote of Senators elected is declared lost. All right. Moving down the Calendar on the motions in writing to accept the specific recommendations for change is House Bill 3025. Mr. Secretary, 3-0-2-5. Oh, wait a minute. I...I beg your pardon. Leave of the Body...there was...leave was granted to add an additional motion to House Bill 3090, and it just seems to me that perhaps we ought to take that up at...at the moment, I skipped over it inadvertently. If...if leave is

granted, we can go back. All right. Leave is granted. On the Order of Restorations is House Bill 3090, Mr. Secretary.
SECRETARY:

I move that the items on page 18, line 11 and page 18, line 17 of House Bill 3090 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. What the Governor did was to veto a reduced amount for bilingual education. And I think we all understand how important bilingual education is particularly if you're an immigrant that comes to this country. The fact is that most of the money that the Governor vetoed was for programs in downstate Illinois; 5.1 million dollars was for bilingual programs in downstate Illinois. So, as a Chicago legislator I want you to know, I'm not speaking specifically for Chicago, I'm talking for the whole State. Right Arthur? Isn't that right? In fact, the amount from Chicago is only 2.9 million dollars, and we're talking about fourteen thousand people that are going to have to participate out of funds from the local school districts, ladies and gentlemen, and that's not fair to those local districts. You know it and I know it and the Governor knows it. The Governor ran his campaign on what he did for education in the State of Illinois; three hundred million dollars he put into the educational funds for the children of this State, he said, and he ran on that platform all across this State. And now we're confronted with the reduction of...in the amount of seven million dollars for a program that everybody knows is vital and necessary for the children in this State. It's not fair, it's not right, and we can't let this happen, because there are children, downstate and in Chicago, and they need

these programs and you can't put the monkey on the back of the local school districts. It's not fair to them. Restore this line item veto, ladies and gentlemen, it's fair and it's right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I...I rise in opposition to this motion to override the Governor's veto. I want to call to the attention of everyone here that what this motion proposes is to add...an additional eight million dollars in expenditures to our budget, eight million dollars which is...is not going to be there. Earlier speakers on earlier motions have expressed concern about the possibility of proration. If we pass all of these override motions we're really not...we're not accomplishing anything except wrecking the budget and deluding ourselves. There's not going to be any...more money there at the end of the line just because we pass the motion. What the Governor's action did was to reduce the level of expenditures in the bilingual program to the same identical level as in Fiscal 1986. I don't think that was a...an irresponsible action at all; on the contrary, I think it was a very responsible action given the shortage of revenue that we experience at the present time. I would ask everyone to vote No on this motion to override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator D'Arco so eloquently put forth the need for the...for the...restoration of these funds. Let me just remind everyone that every time we speak of bilingual education the connotation or the conclusion that everyone comes

to is that it's only for Spanish. It is not, it is for every single foreign language within the world. In the City of Chicago you have Vietnamese and I think in downstate areas you probably have those, you have Polish, you have German, you have Irish, you have just about every...English and Italian, just about every ethnic group that you can possibly have. This program, in effect, gives those people a start. We just restored 2.7 million dollars for gifted children, how many of these people who unfortunately cannot speak English are in that category? We will probably be deleting some of those, and I stand in support of the restoration of these funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator D'Arco may close.

SENATOR D'ARCO:

Thank you, Mr. President. Let's not...let's not make rhetoric part of...part of what's important. The Governor committed himself to education in the State of Illinois. He did more commercials on education that he did on anything else, bear that in mind. That was his big issue in the campaign, education reform, what I've done for education. Well, let's show him what he's done for it and vote for this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the items on page 18, line 11 and page 18, line 17 of House Bill 3090 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 27, none voting Present. The items on page 18, line 11 and page 18, line 17 of House Bill 3090 failing to receive the required majority vote of Senators elected is declared lost. All right. Now,

we will move right on down to your supplemental Calendar is House Bill 3025, accepting the specific recommendations for change. Senator Philip, are you ready to proceed? All right. House Bill 3025, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 3025 in the manner and form as follows. Signed, Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3025 merely amends on page 3, line 29 by inserting, "for" prior to "such," and on page 4, line 5 by deleting "for." All it does is renumber the subsections, there's no substantive change whatsoever. I move that we accept the Governor's specific recommendations on House Bill 3025.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3025 in the manner and form just stated by Senator Philip. 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. The specific recommendations of the Governor as to House Bill 3025 having received the required constitutional majority vote of Senators elected are declared accepted. All right. With leave of the...with leave of the Body...have leave to add to your Supplemental Calendar No. 1 a motion in writing to override the item veto, House Bill 2989, Senator Kustra's motion, Mr...no...take...take it out of the record. All right.

Before we leave Supplemental Calendar No. 1 there is...Senator Hall was granted earlier permission to return to his motion. House Bill 2989, it's a restoration item reduction, it's the very first item on your supplemental Calendar. House Bill 2989, Mr. Secretary.

SECRETARY:

I move that the item on page 19, line 7 of House Bill 2989 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This has bipartisan support. What happened is that Representative Barnes added monies and dollars to this appropriation bill for the item reduction of this House Bill 2989. The restoration of these dollars are for the purpose of assisting local communities who have established or intended to establish the so-called Clean and Beautiful Programs under the direction of DCCA. The funds are allocated to communities around the State on a fifty-fifty basis; that is, that they must match. This is a program which is supported by environmental groups, business and labor. Now what is the clean and beautiful? The purpose of the Clean and Beautiful Program is to reduce litter and solid waste in the cities and counties of Illinois by promoting and encouraging the establishment and maintenance of community base litter and solid waste reduction programs. Any Illinois city, town, village or county approved for funding by the Illinois Clean and Beautiful Advisory Board is eligible to apply. Local government units may apply on behalf of not-for-profit organizations. This is a wonderful program and that is why that Representative Barnes and former Representatives of...of the other side of the aisle have contacted me and ask me along

with everyone else that we should support this. This...I again say this has bipartisan support and I'd ask for your most favorable support of House bill...amendment to House Bill 2989.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Is there discussion? If not, the question is, shall the item on page 19, line 7 of House Bill 2989 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 28, the Nays are 23, none voting Present. The item on page 19, line 7 of House Bill 2989 having failed to receive the required majority vote of Senators elected is declared lost. All right. Bill Foreman of...of Ohio University has requested permission to take photos. Is leave granted? Leave is granted. On Supplemental Calendar No. 1, Senator Carroll, your first motion or your second? First and then second. All right. Supplemental Calendar No. 1, the first motion, House Bill 2995, Mr. Secretary.

SECRETARY:

I move that the item on page 7, line 25 of House Bill 2995 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the item we were speaking about just slightly earlier. We have had discussion and now move to restore the seven hundred and sixty-nine thousand dollars that was reduced by the Governor in the line of homeless

shelters. It will be our intent later to add the difference that he has now agreed to as a supplemental appropriation, but that the fastest, quickest and easiest way would be to restore, as the House had done the seven hundred and sixty-nine thousand dollars for homeless shelters, the reduction veto of the Governor to the contrary notwithstanding.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Senator Carroll, we are talking about your motion on page 7, line 25.

SENATOR CARROLL:

That's correct.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Is there discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, what Senator Carroll says is correct. The administration and its agents have agreed to this and in the form that he has described.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? If...if not, the question is, shall the item on page 7, line 25 of House Bill 2595 be restored, the item reduction of the Governor to the contrary notwithstanding. 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 50, the Nays are 5, none voting Present. The item on page 7, line 25 of House Bill 2995 having received the required majority vote of Senators elected is declared restored, the item reduction of the Governor to the contrary notwithstanding. All right. The...now...the...the next motion in reference to House Bill 2995 is the motion that is printed on your Supplemental Calendar No. 1. All right. Mr. Secretary.

SECRETARY:

I move that the item on page 7, line 27 of House Bill

2995 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a million sixty-four thousand nine hundred dollars for domestic violence shelters and services. We had added this because of the...elimination of the two and a half million that had been in that fund, because of a court order this had been added. The Governor had reduced it. The Governor has now agreed to the funding level. We would move to restore the million sixty-four thousand nine hundred thousand dollars for domestic violence shelters and services, the reduction veto to the Governor...of the Governor to the contrary notwithstanding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, what Senator Carroll says is correct. The Governor does support this in this manner and form.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the item on page 7, line 27 of House Bill 2995 be restored, the item reduction of the Governor to the contrary notwithstanding. 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 none, none voting Present. The item on page 7, line 27 of House Bill 2995 having received the required majority vote of Senators elected is declared restored, the item reduction of the Governor to the contrary notwithstanding. All right. With leave of the

Body, we'll go back to the regular Calendar, your regular Calendar, House bills 3rd reading...House bills 3rd reading. Senator Lemke, on House Bill 132, Mr. Secretary. All right. Senator Lemke...requests leave of the Body to return House Bill 132 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 132, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

The...the LRB number?

SECRETARY:

LRB 8400189RCMLAM01.

SENATOR LEMKE:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I ask for adoption of this...we want to make a motion to bring this back to 2nd? We did that already?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The bill...the bill is now...currently reposes on the Order of 2nd Reading on your amendment.

SENATOR LEMKE:

Okay. Amendment No. 1 to House Bill 132, what it does is deletes everything after the enacting clause and becomes a bill in regards to making eligibility for enterprise zone status an area including both incorporated, unincorporated area. Increases from...also goes along with the Governor's wishes to increase from four to six the number of emergency enterprise zones DCCA may certify. This conforms it with the

rest of the bills. What this bill is needed is to...to assist the State in trying to either encourage General Motors to stay in the area of Lyons Township, Willow Springs or makes the area more attractive to bringing in some new business by putting it in an enterprise zone status. This would allow the local towns of McCook and Hodgkins to seek a special application to bring that piece of property into their enterprise zone. I think it's a good amendment. I think it's...we should adopt it to save jobs in Lyons Township.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, Senator Lemke moves the adoption of Amendment No. 1 to House Bill 132. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 2 to House Bill 132, this amendment cleans up a technical language problem. When a local government creates an enterprise zone in their community they could accidentally abate taxes used to operate the Metropolitan East Transit District and this was not the intent of the legislation which set up the Transit District in State enterprise zones. And I move for the adoption of Amendment No. 2 to House Bill 132.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator Vadalabene has moved the adoption of Amendment No. 2 to House Bill 132. Those in favor will indicate by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

HB 313
3rd reading

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House bills 3rd reading is House Bill 313,
Mr. Secretary.

SECRETARY:

House Bill 313.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. As you may recall, yesterday we adopted an amendment which struck everything after the enacting clause and now became...becomes the...the actual legislation. And that amendment, which of course now is House Bill 313, provides for holding harmless units of local government taxing districts that have a negative impact as a result of Senate Bill 415 which we passed this past Session and which...which came law, which took off the ten percent cap on farmland assessment changes. And that Act also provided for a one year hold harmless provision for school districts that suffered more than a ten percent loss in their aggregate equalized assessed valuation. This particular legislation provides that same hold harmless provision for other taxing districts that suffer that...that same loss of ten percent. The impact is in the area of some forty-seven counties in the State of Illinois and various taxing districts in those counties. Senate Bill 415 which we did pass was a...something that was definitely needed for the agricultural community. It relieved the tax burden that the farmers have...have had for...quite some time, but as a result of that legislation we did create a very negative impact on the revenue sources for units of local government. The Economic and Fiscal Commission's projections on the cost of this is

1.8 million but the...course that will not be payable until '87. It's the assessed valuations...1986 assessed valuations payable in '87. I would be glad to answer any questions at this particular time.

PRESIDENT:

All right. Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of...of this bill. You know, this last spring when we passed Senate Bill 415 which is now law it was designed to attempt to ease the farmer's property tax...burden by removing that cap for the 1986 on increases and decreases in the aggregate countywide farmland assessment. What we did was we held local governments harmless from any loss. The taxing districts in approximately forty-seven counties that were located throughout Illinois will be adversely affected by this law with some of them losing as much as forty percent of their farm tax base. This proposal recognizes that...problem and it will, in fact, provide as we did for school districts the safety net to help...which we helped school districts which were the hardest hit by reimbursing them for their losses in excess of ten percent from the resulting factor of the reduction in the farmland assessment. This will be for a one year only, 1986, and as Senator Watson has indicated, the estimated cost is around two and a half million dollars. The question is right now whether or not we will afford the local governments the same one year cushion as we did the school districts in Illinois. And I would suggest that this is a problem that we helped to create as a Legislature, and I think it's frankly up to us to soften the blow to local governments by supporting House Bill 313. And I would strongly urge my members to...of this Body to be in support of this motion.

PRESIDENT:

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Further discussion? Senator Hall.

END OF REEL

REEL #3

SENATOR HALL:

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

PRESIDENT:

Sponsor indicates he'll yield, Senator Hall.

SENATOR HALL:

Senator Watson, can you tell me how this affects St. Clair County?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Yes. The Economic and Fiscal Commission...and you have to understand these are projections only, there's no way that they can really identify what districts are going to receive monies at this particular time until that assessed valuation is done at the local level. St. Clair County is not included.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, tell me why St. Clair County is not included.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, primarily, because of the...the urban area. Now you may have townships and taxing districts out in the rural area that could positively have been a...a benefit from this, but if you have an urban area and there's no farmland assessment being done in that particular area, you're naturally not going to benefit.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, there's certainly farmlands in St. Clair County, that's the point that I can't understand. In other words, if you don't have farmland, you're not...but when they assess in St. Clair County, the assessor, it certainly does assess farmland in St. Clair County and I...I can't understand why they're being excluded.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, they're not necessarily being excluded. St. Clair County as a whole will not benefit because of the aggregate assessed valuation has not dropped to the...the ten percent level that triggers this particular piece of legislation, but the rural areas, townships and road districts or whatever you may have in the rural area of St. Clair County could very well qualify.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Mr. President, thank you. I...I just have one question and that is, you know, I think this is probably a pretty good piece of legislation, but how did the miracle happen overnight from twelve counties to forty-seven?

PRESIDENT:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

(Machine cutoff)...that I may be in conflict on this but it is my understanding I can still vote, is that correct?

PRESIDENT:

That is correct.

SENATOR JACOBS:

Thank you.

PRESIDENT:

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

SENATOR WATSON:

Well, the answer to the question from Senator Joyce...there was more than twelve counties and the Economic and Fiscal Commission redid the research that they have been doing for quite some time in regard to this legislation last night, stayed up a long time, to provide us with up-to-date list that, of course, is vitally important to the passage of the legislation. So I...I think that this is something we certainly need to do, there's no doubt about it, because we...we sit here and...and...and pass more and more responsibilities on to units of local government and don't fund them and the farmland assessment legislation was one in which had a tremendous negative impact on the revenue sources for units of local government and this is just one way to help cushion that...that provision for...one year. This is only a one-year provision, same as what we did for the schools and I'd appreciate your support.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, we all know how things happen around here during the night and expanded to include more counties and certainly they will benefit by virtue of this positive vote on this legislation.

PRESIDENT:

The question is, shall House Bill 313 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 6 Nays, 1 voting

Present. House Bill 313 having received the required constitutional majority is declared passed. Senator Savickas on 1540. Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I would ask leave to move House Bill 1540 back to the Order of 2nd Reading for the purposes of amendment. This is the amendment that would narrowly define the quick-take area for the construction of the rapid transit line from Midway Airport down primarily along I-55. And it also has in it a sunset date for this action to be taken, and it restricts the construction in this area only for the rapid transit line within that area. So I would ask leave to move it back, adopt the amendment, have intervening business and then bring it back for 3rd reading for passage. The real estate industry, Mr. Frost, has seen the amendment, has indicated that he has removed their objection to the boundaries and to the amendment itself.

PRESIDENT:

All right. Senator Savickas seeks leave of the Body to return House Bill 1540 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? On the Order of House Bills 2nd Reading, House Bill 1540, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Savickas.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Just for your edification, I will read the amendment and it would just simply state that, "Any...municipality with a population of over five hundred thousand may utilize the quick-take procedures if such procedures are commenced on or before January 1st, 1990, for exercising the power of eminent domain under Section 7-103 of the Code of Civil Procedure for

the purpose of constructing or extending rapid transit lines within the area bounded by," and then it defines the narrow boundaries that basically follow the I-55 Route to Midway Airport. I would move its adoption.

PRESIDENT:

Senator Savickas has moved the adoption of Amendment No. 2 to House Bill 1540. Discussion? Senator Keats.

SENATOR KEATS:

Could we get a...a copy just so we see those exact boundaries and stuff? I mean, there are a lot of us very concerned that we're about to open another McCormick Place, State of Illinois building white elephant. We just want to know how big an area this white elephant is going to be in.

PRESIDENT:

Senator Savickas. Senator Savickas.

SENATOR SAVICKAS:

Yes. The amendments...or the copies are on the Secretary's Desk but I would read it to you and maybe you can follow with me. "It would be an area bounded by a line beginning at the intersection of East Jackson Boulevard and South Michigan Avenue in the City of Chicago, running south on Michigan Avenue to East Pershing Road, then west on East Pershing Road and West Pershing Road to South Ashland Avenue, then south on South Ashland Avenue to West Garfield Boulevard which is 55th Street, then west on West Garfield Boulevard and West 55th Street to South Pulaski Road, then south on South Pulaski Road to West 63rd Street and west on West 63rd Street to South Central Avenue, then north on South Central Avenue to West 55th Street, then east on West 55th Street to South Cicero Avenue, then north on South Cicero Avenue to West 47th Street, then east on West 47th Street to South Kedzie Avenue, then north on South Kedzie Avenue to West Cermak Road, then east on West Cermak Road to South Halsted Street then, north on South Halsted Street to West Jackson

Boulevard, then east on West Jackson Boulevard and East Jackson Boulevard to the place of beginning." This is a...just a narrow area just jogging and...around Route 55 the way it jogs.

PRESIDENT:

Further discussion? If there's no further discussion, Senator Savickas has moved the adoption of Amendment No. 2 to House Bill 1540. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Savickas seeks leave to go back to that after intervening business. If you'll turn the page, page 4 on the Calendar. Senator Zito. On the Order of House Bills 3rd Reading is House Bill 2760. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2760.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members. This amendment to this bill was discussed at some length yesterday. It provides a new source of funding for the Domestic Violence Shelter and Service Fund. Because of the ruling by the Illinois Supreme Court of the unconstitutionality of the twenty-five dollar surcharge, we were forced to refund and this will add another million dollars to that program. I would move for and ask and urge a Yes vote.

PRESIDENT:

All right. Discussion? Discussion? Senator Kelly.

SENATOR KELLY:

Yes, Senator Zito, I'd like to ask about the earlier proposal that Senator Carroll had on the domestic violence. How does...the funds were provided under that proposal which were reestablished, how is that compared to your proposal. Was that not adequate and this is additional funds or what?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

My understanding is they're different programs. The Governor originally excluded 3.1 million dollars appropriation to the Domestic Violence Shelter and Service Fund. We are trying to reinstate at least a million dollars and I don't think there is a correlation between the two programs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Woodyard.

SENATOR WOODYARD:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Woodyard.

SENATOR WOODYARD:

Senator, I...I don't hardly know how to state this question, but what will happen to the funds that have been accumulated by the counties in the previous program? And it's my understanding a lot of the counties are still collecting this money, it cannot be disbursed. Is there anything within this bill that authorizes repayment or...or...not repayment, but restitution back to the people who have paid that fee, or does it...and I think I go back to maybe what Senator Kelly was alluding to, how does this impact on the original legislation that created the...the additional marriage license fee? We're repealing that portion, but I don't know that

we're doing anything about the funds that have been accumulated by the counties. Is there...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Yes, thank you for your question, Senator. I'm not so sure that we're addressing...that I can answer your question specifically on a county. All this is going to relate to is the money that is going to be...restored to the General Revenue Fund. I don't know what...what relationship that will have on existing county monies, this is the State's share of that program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Zito may close.

SENATOR ZITO:

Just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 2760 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? (Machine cutoff)...Jones, it's your pleasure. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 3, none voting Present. House Bill 2760 having received the required constitutional majority is declared passed. House Bill 2815, Mr. Secretary.

SECRETARY:

House Bill 2815.

(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...after the amendment merely says that payments in...in these physical fitness contracts cannot exceed twenty-five hundred dollars for two years, and the time for financing has increased from two years to three years. That's all the bill does and I would ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall House Bill 2815 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 53, the Nays are 1, none voting Present. House Bill 2815 having received the required constitutional majority is declared passed. 2821. All right. With leave of the Body, we will return to page 3...page 3, House bills 3rd reading. Senator Lemke. The bill was amended earlier today. House Bill 132, Mr. Secretary. House bills 3rd reading, page 3.

SECRETARY:

House Bill 132.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Lemke.

SENATOR LEMKE:

I think the...the bill is now in the form of the amendment which we explained earlier. One...one...one amendment is to help the situation in Willow Springs in Lyons Township, the other amendment is to solve a technical problem in the East St. Louis Metro District. I...ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Is there discussion? Discussion? If not, the question is, shall House Bill 132 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who

wish? Have all voted who wish? Have all voted who wish?
Take the record. On that question, the Ayes are 53, the Nays
are none, 1 voting Present. House Bill 132 having received
the required constitutional majority is declared passed.
Senator Savickas on 1540. House bills 3rd reading, bottom of
page 3 is House Bill 1540, Mr. Secretary.

SECRETARY:

House Bill 1540.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, this is a...the CTA bill for the rapid transit down
I-55. I would appreciate your support on its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

The...the amendment has dramatically tightened it up, but
I'm just saying in a friendly way today, several years from
now we're all going to be sitting here going, oh, my God, how
did we let this white elephant get going. Anyone who has
looked at those cost estimates realizes if we can build it
for twice that, we will be lucky. We're just saying it now
and a couple of years later when we're coming back here
crying for more and more money to build it, fellas, this is
how the State of Illinois Building got started, this is how
that McCormick Place disaster got started, same way, and
we're about to authorize another white elephant and here
goes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

I understand that this bill has that quick-take provision in order...facilitate ...this rapid transit situation. Can you tell me approximately how much land spacewise is...involved in the taking?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

No, Senator, I can't. I read the...I read you the legal description of the land area. This is all...I think before they tightened it up, there were six homes involved in it, now I understand there aren't any, I may be wrong. The land area is mostly vacant, it's for the purpose of just...to answer the cost of it, as usual, Senator Keats jumped the gun. This is not State money, it's from the Federal Government. The money has been allocated, Congressman Lupinski has already worked that out, the State money that were involved the Governor signed off on...before the end of the Session and the State will not be responsible for any more money.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...are you saying, Senator, then the taking of this land is necessary to...to construct this rapid transit through...Route 55? It's absolutely necessary, is that right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

That's my understanding, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Savickas may close.

SENATOR SAVICKAS:

Yes, I would just seek your support for this...this needed rapid transit system that would tie in Midway Airport, one of the...one of the leading airports we have in our country, all the way down to the downtown area. I would solicit your support on it.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

The question is, shall House Bill 1540 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 45, the Nays are 10, 1 voting Present. House Bill 1540 having received the required constitutional majority is declared passed. (Machine cut-off)...leave of the Body, we will now go...page 7...page 7 on Secretary's Desk Nonconcurrency. Secretary's Desk Nonconcurrency, with leave of the Body. Leave is granted. Senate Bill 2123.

SECRETARY:

(Machine cutoff)...Bill 2123 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. Mr. President, I move to nonconcur with House Amendment No. 1 and ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. You've heard the motion by Senator Poshard, moves to nonconcur...discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate nonconcur and Senator Poshard asks for...all right. Senator...Senator Poshard's motion is to move to nonconcur with House Amendment 1. Those in favor of...of that motion indicate by saying Aye. Opposed Nay. The Ayes have it. The

motion is carried. The House would...would have to refuse to recede and then they would ask for the conference. Okay. All right. Page...page 8...page 8, we'll now move to Conference Committee reports. Conference Committee reports, regular Calendar, page 8 is House Bill 2642, Senator Jerome Joyce. House Bill 3058, Senator Degnan. On the Order of Conference Committee Reports is House Bill 3-0-5-8, in the middle of page 8, Mr. Secretary.

SECRETARY:

Second Conference Committee report on House Bill 3058.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Conference Committee Report No. 2 on Senate Bill 3058 does not include the thirty-five hundred dollar stipend for recorders which passed out of this Body earlier on 3058. It does now only include the one dollar increase for county recorders to charge for filing every instrument and use that money to defray the cost of converting the county recorders' document storage system. Also adds some language which we passed earlier that the certificate of sale of real property for taxes in Cook County only must be presented to the registrar of title sixty days prior to the application for deed. Also adds some portions of House Bill 562 which passed out of the House 111 to zero and got jammed up in a committee here in the Senate. Be happy to answer any questions; otherwise, I would seek your Aye vote on Conference Committee Report No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate adopt the...the Conference Committee report on Senate Bill 3058. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. I'm sorry, House Bill 3058. Have all voted who wish? Have all voted who wish? Take the

record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does adopt the Conference...Committee report on House Bill 3058 and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...Lemka, for what purpose you arise?

SENATOR LEMKE:

Just for leave to add to Senate Bill 1565, to have the bill read Lemke-Jacobs as the sponsors of that...piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Any discussion? Hearing no opposition...leave is granted. Resolutions.

SECRETARY:

Senate Resolution 1296 offered by Senators Lechowicz, Degnan, Joyce, Rock and all members, it's congratulatory.

1297 offered by Senators Mahar and DeAngelis and it is congratulatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar. On the Order of Conference Committee Reports, Senate Bill 1091, Senator Lechowicz. With leave of the Body, then we will move back to Senator Vadalabene on consideration postponed. House Bill 401. Senator...Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 401 provides for a thirty-five hundred dollar annual stipend to be payed to the twenty-one elected county recorders which does not include Cook County for additional duties required by the Department of Revenue. We just passed here a few moments ago the treasurer's bill 54 to 1 and I would appreciate a favorable vote for the recorders.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is,

shall...shall House Bill 401 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 47, the Nays are 1, 2 voting Present. House Bill 401 having received the constitutional majority is declared passed. (Machine cutoff)...Rupp, for what purpose do you arise?

SENATOR RUPP:

...just stretching...rearranging my underwear.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Resolutions.

SECRETARY:

Senate Joint Resolution 188 offered by Senators Jones and Topinka.

(Secretary reads SJR 188)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I move for the suspension of the appropriate rules for immediate consideration of this resolution. I talked to both the minority and the...and the chairman of the...the Executive Committee and they have no objection.

PRESIDENT:

All right. Senator Jones has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 188. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. All right. Senator Jones has moved the adoption of Senate Joint Resolution 188. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator DeAngelis. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1298 offered by Senator DeAngelis and Mahar.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I would ask the waiving of the appropriate rules for immediate consideration of this resolution.

PRESIDENT:

All right. Senator DeAngelis has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 1298. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. On the question of the adoption of Senate Resolution 1298, Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. What this resolution does is just recently you received a report from the Board of Higher Education pursuant to a resolution I filed last spring on them studying the suitability of some type of investment instruments by parents so that they could secure an education for their children in the future. For those of you who might have read the report, you will find out that...not only was it...did it give many options but it was specifically ambiguous in its solutions. So what this resolution does is creates a task force to study the recommendations and also any other recommendations that might come in order to present to the General Assembly for its consideration in the spring a plan by which we will permit parents to make investments with the State of Illinois so as to secure a college education for their children in the future. The members of that task force will be four members of the Senate, two from each side; a member of the Board of High Ed., a representative of the State Treasurer, a representative of the Illinois Economic

and Fiscal Commission, a member of the Scholarship Commission and a Bureau of the Budget. And we ask also that they report back to us by April 1st, I will be introducing a shell bill so that we can in fact put the recommendations of that task force into legislation this spring.

PRESIDENT:

Senator DeAngelis has moved the adoption of Senate Resolution 1298. Discussion? Senator Collins.

SENATOR COLLINS:

Yes. I don't have any real problems with studying the problem, Senator DeAngelis, but I put...forth a lot of effort and a lot of work and been moving around on this Floor getting some sponsors for the bill, and I'm sure some...some people know about it, and have put together a bill to do this. Now we do have a committee process around here by which these bills can be heard and I'm sure later on some other people will probably introduce some other initiatives to do this. And I think our committee system is appropriate and adequate enough to...to screen and monitor these bills. It's not that complicated a...a process, there are plenty of...other states have already implemented these types of programs so that we have something to go by and I think we should proceed with that in that manner. You know, it's...

PRESIDENT:

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

SENATOR DeANGELIS:

Thank you, Mr. President. Well, Senator Collins, I am not bypassing the committee process because when the bill has these recommendations then the bill will go to committee. If you have read the report...and I want to take issue, there are not too many states that has it; in fact, Michigan...did not pass both Houses and I don't see our plan being quite the same as the one Michigan has. It's...it's a subject of great

HJR 233
Amend #1

interest but, more importantly, if this is not done properly it's...it will be designed for failure, and I don't know how you can in fact put in a proper piece of legislation on this without at least getting the people who will play a significant role in it involved, and all this does is...let's take a look at it and if you've got something going, I'm sure that President Rock will consider you for this task force.

PRESIDENT:

All right. Any further discussion? If not, Senator DeAngelis moves the adoption of Senate Resolution 1298. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further motions, Mr. Secretary? I understand Senator Newhouse has a motion filed.

SECRETARY:

I move that the Senate Executive Committee be discharged from further consideration of House Joint Resolution 233 and that the resolution be placed on the Calendar on the Order of the Secretary's Desk. Signed, Senator Newhouse.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. House Joint Resolution 233 creates a State task force relative to citizen involvement. The...this bill...yeah, this has been agreed on both sides...members of the Body, so that the membership has been brought up to the standard that we agreed to on both sides and I would move its adoption.

PRESIDENT:

All right. Senator Newhouse, the motion is to discharge the Committee on Executive from further consideration and you've asked that it be placed on the Calendar on the Order of Secretary's Desk...

SENATOR NEWHOUSE:

I so move.

PRESIDENT:

Okay. Senator Newhouse has moved to discharge the Committee on Executive from further consideration of House Joint Resolution 233 and asked that it be placed on the Calendar on the Order of Secretary's Desk. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries, it's so ordered. Senator Newhouse, you wish to pursue this?

SENATOR NEWHOUSE:

I wish to offer Amendment No. 1...

PRESIDENT:

All right. Mr. Secretary, on the Order of Secretary's Desk Resolutions is House Joint Resolution 233.

SECRETARY:

Amendment No. 1 offered by Senator Newhouse.

PRESIDENT:

Senator Newhouse on Amendment No. 1.

SENATOR NEWHOUSE:

Thank you, Mr. Chairman...Mr. President. Mr. President, Amendment No. 1 is the agreed amendment which equalizes the legislative members and I move its adoption.

PRESIDENT:

All right. Senator Newhouse has moved the adoption of Amendment No. 1 to House Joint Resolution 233. All in favor of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

All right, back on the Secretary's Desk. Senator Sangmeister, you have a similar motion, as I understand it? Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, we do...like the same motion on Senate Resolution 1278.

PRESIDENT:

All right. Senator Sangmeister has moved to discharge the Committee on Executive from further consideration of Senate Resolution 1278 for the purpose of its immediate consideration and adoption. Any discussion on the motion to discharge? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Is this...I'm not sure what this resolution does. Is this the one that we were shown earlier, Senator?

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, I had my staff bring that over to you, it's 1278. Be happy to explain it once we get it on the Floor, Senator.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, we were asked to go along with this discharge motion and we felt that we couldn't go along with it and so I would ask members on this side of the aisle to...to oppose the discharge motion.

PRESIDENT:

All right. Senator Sangmeister on the motion to discharge.

SENATOR SANGMEISTER:

Let's proceed on the motion.

PRESIDENT:

All right. The question is the motion to discharge the Committee on Executive from further consideration of Senate Resolution 1278. On that motion, Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, Ladies and Gentlemen of the Senate, this is a...a simple Senate resolution where...whereby we're asking the Auditor General of...of the State of Illinois to...have a financial audit of the Will County Private Industry Council in Will County. And I'm asking that you favorably vote on the motion to discharge the committee and we'll discuss the matter when we attempt to move the resolution.

PRESIDENT:

All right. Discussion on the motion to discharge? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. The reason for our objection to the motion is that the motion calls for the establishment or the requirement that the Auditor General launch an investigation. It's our feeling that issues of this kind should go before the Legislative Audit Commission which is the body that's established by this Legislature to hear issues of this kind, and rather than have the debate on the Floor of the House...or the Floor of the Senate as is being suggested here, we felt that it should go through the committee process, that that's the right way to do it and we think it ought to be followed in this case.

PRESIDENT:

All right. Further discussion? Senator Sangmeister, you wish to close?

SENATOR SANGMEISTER:

Yes. Well, the Statute is very clear that this Body has the absolute right to ask the Auditor General to make this kind of an audit; and from what has happen back in Will County and the hue and cry from the media and everyone else that there be an investigation as to how these funds are being spent by this organization, I would certainly think that...on this side of the aisle that we ought to have the audit by the Audit General and let's find out exactly whether

the allegations that are being made back home in Will County regarding the Will County Private Industry Council are true or not. We ought to clear the air, to do otherwise is to make it look like a cover-up.

PRESIDENT:

All right. Senator Sangmeister has moved to discharge the Committee on Executive from further consideration of Senate Resolution 1278 and asked that it be immediately considered. There's been objection to that. The question is, shall the Senate Committee on Executive be discharged from further consideration of Senate Resolution 1278. Those in favor of that motion 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, 24 Nays, none voting Present. Senate Resolution 1278...the motion to discharge prevails. (Machine cutoff)...Sangmeister, you wish to move...now before the Body is the question of the adoption of Senate Resolution 1278. On that question, Senator Sangmeister.

SENATOR SANGMEISTER:

Well, as I indicated in the debate on whether or not to discharge the committee, I would ask for the same vote. There have been a lot of allegations back home about this Will County Private Industry Council as to whether or not they are taking State and Federal funds, expending them for the purposes pursuant to law that they should be. There's been allegations concerned about a lease that has been entered into by that body with certain individuals in the county, and I've been requested by many constituents in Will County as well as the media back there that there ought to be some investigation and I think that an...an audit by the...the Auditor General is the right way to look into that agency and if there are no problems, he can find that out and

it exonerates everybody, and if there is problems, it's high time that we find them out...I could see certainly no reason for anybody to oppose an audit to be done fairly and impartially by the Auditor General of the State of Illinois. I would move for the adoption of the resolution.

PRESIDENT:

All right. Senator Sangmeister has moved the adoption of Senate Resolution 1278. Is there any discussion? If not, those in favor will vote Aye. Opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 Ayes, 16 Nays, none voting Present. Senate Resolution 1278 is adopted. Messages from the House, Mr. Secretary.

SECRETARY:

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

Mr. President - I'm directed to inform the Senate the House of Representatives has refused to recede from their Amendment No. 2 to a bill with the following title:

Senate Bill 1728.

I'm further directed to inform the Senate that the House requests a first Committee of Conference and the Speaker has appointed the members on the part of the House.

PRESIDENT:

Senator Weaver in lieu of Senator Etheredge.

SENATOR WEAVER:

We would move to accede to the wishes of the House and send it to a conference.

PRESIDENT:

All right. Senator Weaver has moved to accede to the request of the House to send Senate Bill 1728 to conference. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries, it's so ordered. The Secretary has informed the Chair that an additional motion in writing

has been filed. With leave of the Body, we'll just add that to Supplemental No. 1. It is a motion again with respect to House Bill 3090, 3-0-9-0. On the Order of Motions in Writing, Mr. Secretary.

SECRETARY:

I move that the item on page 21, lines 28 and 29 of House Bill 3090 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Maitland.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. This is the issue that we debated yesterday for a short time and at the request of...of...of the Appropriation's Committee, I...I did take this out of the record thinking that...and they thought that at the time it was going to be a part of the...the supplemental appropriation bill. They chose now today not to make it a part of 1875, so, therefore, I refiled the motion and the motion deals with the vocational instruction practicum of 1.5 million dollars and I would seek your support of this motion.

PRESIDENT:

All right. Senator Maitland has moved that the item on page 21, lines 28 to 29 of House Bill 3090 pass the item veto of the Governor to the contrary notwithstanding. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator Maitland, how much money are we talking about in this particular line item?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

1.5 million dollars, Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Would you support a motion to restore the adult education money as well to...to House Bill 390 if...if this vocational education line item is restored?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Are you talking about the gifted or...or...

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

The adult education, we've already restored the gifted.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, I...I've asked the gentleman if he would support a restoration motion on the adult education money of two hundred and eighty thousand, according to my book, versus our support for this motion of his to restore a million five hundred thousand and...are you ready to answer? Senator Maitland.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

I was waving frantically to get my light to come on, it just wouldn't come on. I almost forgot the question. I would...if...if you file a motion on...on...on that item, I would be happy to consider it.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, now, John, I've been around here for twelve years, you've been around...are you willing to support a motion...if

I file a motion on the adult education money, will you be voting in the affirmative and support the motion if we support this motion for...to restore the vocational instructors monies?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

I...I will support that motion if the Governor agrees to it.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, you know, we're...we're playing games...are you telling me that the Governor has agreed to this motion then, that he has agreed to the restoration of this 1.5 million? Has he agreed to the gifted? Has he agreed to anything else that was amendatorily vetoed out of House Bill...3090? Did he agree to the gifted?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator, very seriously, also, it's my understanding that this is the only one that he has agreed to.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, your answer is no then; if the Governor hasn't agreed to this, then you will not support a...a motion to restore the adult education money because he...he apparently has not agreed to it. Is that correct?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

That is correct.

PRESIDENT:

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

SENATOR MAITLAND:

Thank you, Mr. President. Just appreciate the support of the motion.

PRESIDENT:

The question is, shall the item on page 21, lines 28 and 29 of House Bill 3090 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. The item on page 21, lines 28 and 29 of House Bill 3090 having received the required three-fifths vote is declared passed, the item veto of the Governor to the contrary notwithstanding. (Machine cutoff)...Kustra, I understand you...also have a motion filed. Mr. Secretary to the Order of Motions in Writing.

SECRETARY:

I move that the item on page 39, line 25 through 28 of House Bill 2989 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Kustra.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. The attempt I'm making to override the Governor's veto involves a one hundred thousand dollar appropriation which was vetoed by the Governor after we left last June; however, in the fall, the Governor assigned to the Lieutenant Governor some additional responsibilities including the power to chair the new Rural Affairs Council, and that council was to monitor the new Rural Community Fair Share Initiative, and also the

Governor's Task Force in the Future of Rural Illinois met around the State and incurred a number of costs. As a result of that, the Governor has agreed that the original one hundred thousand dollar appropriation which was overridden is now needed, and I ask that House Bill 2989, page 39, lines 25 to 28 be overridden.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the item on page 39, lines 25 through 28 of House Bill 2989 pass the item veto of the Governor to the contrary notwithstanding. 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. The item on page 39, lines 25 through 28 of House Bill 2989 having received the required three-fifths vote is declared passed the item veto of the Governor to the contrary notwithstanding. All right. While we're on the Order of Motions in Writing...the Chair has informed...the Chair has been informed that the Secretary has received another motion. Read the motion, Mr. Secretary.

SECRETARY:

I move that the item on page 19, line 23 and page 19 line 26 of House Bill 3090 be restored the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. Been a great deal of discussion as to whether or not this motion would, in fact, be filed in reference to House Bill 3090. It is the adult education amendatory veto on lines 23 and 26 that the Governor took out. I think there is a great deal of merit for the

restoration of these dollars simply because of the fact that we as a Legislature here have created the Project Chance Program which was an initiative which was...came from the other side of the aisle and that is, as you well know, adds welfare recipients to...to...to...actually...it adds welfare...recipients to work and that's caused a great deal of referrals to these adult education programs. And the second initiative is the one of the Secretary of State...Jim Edgar's...literacy initiative which has also caused an increase in the referrals to these adult education programs. It seems to me that if we are going to restore some of the dollars in House Bill 3090, it seems to me that adult education ought to be one of those line items which frankly is in...in need and frankly can be documented that...the dollars that are to be...to be...to be restored could, in fact, help us to...to reduce eight million dollars in additional welfare grants. And it seems to me that that estimated savings to the State of Illinois is worth the effort to...to restore, and I would move...move adoption of...of this motion.

PRESIDENT:

All right. Senator Demuzio has moved to restore the items on page 19, lines 23 and 26 the item reduction of the Governor to the contrary notwithstanding. Is there any discussion? If not, the question is, shall the items on page 19, lines 23 and 26 of House Bill 3090 be restored the item reduction of the Governor to the contrary notwithstanding. 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? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 19 Nays, none voting Present. The item on page 19, lines 23 and 26 having received the required majority vote of Senators elected are declared restored, the item reduction of the Governor to the contrary notwithstanding. Resolutions, Mr.

Secretary.

SECRETARY:

Senate Resolution 1299 offered by Senator Davidson and all Senators and it's congratulatory.

PRESIDENT:

Consent Calendar. If I can have the attention of the membership, we have virtually finished the business on the Calendar and we are awaiting the results of the Conference Committee, namely, Conference Committee reports on two major items; both are rather lengthy, both are subject to circulation among the conferees and then printing. I have just discussed with Senator Philip that...I am told that the one report will not even be circulated until about four o'clock, the other is in the process of being circulated and signatures being gathered and being printed at this moment. It deals with pension, it's House Bill 2630 and the other is, of course, dealing with the question of parimutuel wagering. My suggestion is that we stand in Recess until the hour of four-thirty to afford all of us an opportunity to return all those phone calls we've been getting. Yes, Senator Keats.

SENATOR KEATS:

I do not wish to sound petty, but just as a mere Senator sitting here, could we give us, the members, enough time to even have some analysis done on these bills. I...I know it's just a minor thing of a few zillion dollars here and there, but perhaps we could be given the time to have an analysis and even read the bills before we vote on it. It may be appropriate. Thank you.

PRESIDENT:

Yes. I think that...that request is certainly in order. Senator Watson.

SENATOR WATSON:

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

PRESIDENT:

All right...let me just make sure everybody understands now. We...when we finish with Senator Watson's personal privilege, we will stand in Recess until four-thirty. I can say to my friends on the other side of the aisle, the Chief Executive is anxious that those matters be dealt with as quickly as possible, and so I have assured him that we will do everything reasonably and expeditiously; and so it seems that if we come back at four-thirty, we may have this to deal with and we can all sit and read and discuss. All right. Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. As you well know and the members well know, each spring we have a tennis tournament here. Southwestern Illinois Industrial Association sponsors the Legislative Tennis Tournament, and this year as we have done in the past, the Senate was quite successful in regard to capturing a couple of trophies. And my seatmate happens to be one of those individuals, Senator Cal Schuneman and his partner Ted Flickinger of the Illinois Park District came in second, I believe, or at least they were a finalist, I'm not sure what...what did you do? They were second, they were second in a Class A division. So we have a trophy here for Senator Schuneman and then we also have another participant from the Senate who did quite well and has done well in the past and that's Senator Art Berman. And Senator Berman and Jim Houlihan came in second in the championship division and Senator Berman has won this particular division on four other different occasions. This particular time he ran into a female opponent which...I don't know whether he was having trouble keeping his eye on the ball or what, but anyway, he lost the championship to...to a couple of player, one from the House and...Senate...and the lady. So, anyway, we got trophies here for them and I'd also like to make one other comment. Retiring Senator George Sangmeister played in the

first tournament and actually won the first tournament in 1974, and we hope that Senator George will continue to come back and play in our tournaments as we have them each spring. So, thank you, for giving me the opportunity to make these presentations and wish everybody well. Thank you.

PRESIDENT:

Our...our congratulations to our runners-up. All right...with that the Senate...it's now three o'clock. The Senate will stand in Recess until the hour of four-thirty. In the event the reports arrive, we will circulate them on the desks and in the offices and we'll try to accommodate everybody as best we can. Stand in Recess till four-thirty.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR DEMUZIO)

...the Senate will come to order. We'll go to the Order of Resolutions. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1300 offered by Senator Rock and all Senators, it's congratulatory.

And Senate Resolution 1301 offered by Senator Lemke and it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

The following resolutions are...Senator Topinka and they're all congratulatory.

Senate Resolution 1302.

1303.

1304.

And Senate Joint Resolution 189, all congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Message from the House.

SECRETARY:

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

Mr. President - I'm directed to inform the Senate the House of Representatives concurred with the Senate in the passage of a bill with the following title:

Senate Bill...553, together with House Amendment No. 1.

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

Mr. President - I'm directed to inform the Senate the House of Representatives has...has concurred with the Senate in the passage of a bill with the following title:

Senate Bill 1398, together with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have conferred with the Chief Executive and with the Speaker and with the Minority Leader of the Senate, the Pension Conference Committee Report is currently at the printer and because of its length and because of its bulk, it will be here, I'm told, within the hour. The horse racing legislation is yet to come out of the Reference Bureau. It is to be coming out momentarily, I'm told and have been told for the past hour. There is some concern obviously about the joint announcement of the Mayor and the Governor with respect to their agreement on the rebuilding of White Sox Park in Chicago. Apparently,...I guess what I'm trying to say is we have physically just not the capacity to do those major efforts this evening, and rather than having everybody sitting around when we all have other things to do, my suggestion is, and I have suggested the same to the Speaker, that we stand at...I will move that we stand adjourned until noon tomorrow. There will be a number of the members representing

the Senate as a delegation to pay tribute to and say our fond regrets to our friend and colleague, Walter Nega, and those individuals will then fly immediately back to Springfield so that we can conclude our business. In the meantime, let me ask those who are conferees particularly on the racing legislation to please stay available so that that report if it meets with your approval can be circulated and signed tonight so that it can be printed and available tonight for those members who wish or certainly first thing in the morning so that everybody will have, as Senator Keats so aptly pointed out, the opportunity to read and analyze. The pension report will be available tonight within the hour I am told and the details on the Chicago White Sox Stadium are not yet available, although I am told that Senator DeAngelis and Senator Netsch are pretty...conversant and they will be happy to share with you what they know thus far. I think it's in everybody's best interest because we have other meetings and other bills, but the fact is, we have nothing in front of us. The House has sent over some Messages...have we read those Messages in? We're all set. So I suggest, Mr. President, we stand adjourned until noon tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Schaffer, for...for what purpose do you arise?

SENATOR SCHAFFER:

For the purpose of announcing a Republican Caucus tomorrow at 11:00 a.m. in Senator Philip's office, 11:00 a.m. Any of the secretaries that hear this, if you'd please put that on your Senator's schedules in the chance that they might not be hearing this, at 11:00 a.m.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like the record to indicate that Senator

Macdonald is home convalescing from a minor surgery and I would like the record to so indicate. Secondly, Senator "Babe" Woodyard's birthday today, he's thirty-nine years old again, probably forever, we'd just like to wish him a merry, merry...happy birthday and Merry Christmas and a great fortieth year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the record will indicate Senator Macdonald's illness and also the congratulatory note to Senator Woodyard on his 39th birthday. Further business to come before the Senate? If not, Senator Rock moves that the Senate stand adjourned till noon tomorrow. The Senate stands adjourned.

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