

85TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 28, 1988

PRESIDENT:

The hour of eleven having arrived, the Senate will please come to order. Will the members be in their desks and will our guests in the galleries please rise. Prayer this morning by Reverend Joseph Cernich, Blessed Sacrament Church, Springfield, Illinois. Father.

REVEREND JOSEPH CERNICH:

(Prayer given by Reverend Joseph Cernich)

PRESIDENT:

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

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Thursday, June 16th; Friday, June 17th; Tuesday, June 21st; Wednesday, June 22nd; Thursday, June 23rd; Friday, June 24th and Monday, June 27th, in the year 1988, be postponed pending arrival of the printed Journals.

PRESIDENT:

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

SECRETARY:

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

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

House Joint Resolution 212 and it is congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

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

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

House Bill 253 with Senate Amendments 2 and 3.

I have like Messages on House Bill 253 with Senate Amendments 2 and 3.

House Bill 589 with House Amendments...pardon me, Senate Amendments 1 and 2.

House Bill 849 with Senate Amendment 1.

House Bill 1576 with Senate Amendment 1.

House Bill 2993 with Senate Amendments 1 and 2.

House Bill 3007 with Senate Amendment 2.

House Bill 3216 with...House Amendments...pardon me, with Senate Amendments 1 and 2.

House Bill 3264 with Senate Amendment 1.

House Bill 3273 with Senate Amendments 1, 2 and 3.

House Bill 3297 with Senate Amendments 1, 2 and 3.

House Bill 3425 with Senate Amendment 2.

House Bill 3444 with Senate Amendments 1 and 3.

House Bill 3570 with Senate Amendments 1 and 2.

House Bill 3592 with Senate Amendment 2.

House Bill 3615 with Senate Amendment 1.

House Bill 3683 with Senate Amendment 2.

House Bill 3739 with Senate Amendments 1, 2 and 3.

House Bill 3810 with Senate Amendment 1.

House Bill 3888 with Senate Amendments 1 and 2.

House Bill 3926 with Senate Amendment 1.

House Bill 3946 with Senate Amendment 2.

House Bill 3946 with Senate Amendment 2.

House Bill 4005 with Senate Amendments 1, 2 and
3.

House Bill...4053 with Senate Amendment 1.
House Bill 4116 with Senate Amendments 1, 2 and

3.

House Bill 4282 with Senate Amendment 2.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 1265 offered by Senator Newhouse. It
is substantive.

Senate Resolution 1266 offered by Senator...President
Rock and Senator Philip. It is also substantive.

PRESIDENT:

Executive. Senator Severns, for what purpose do you
arise?

SENATOR SEVERNS:

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

PRESIDENT:

State your point, ma'am.

SENATOR SEVERNS:

It's my great honor to have join us today in the visi-
tors' gallery the Decatur Cadets Squadron Number 11303, the
Civil Air Patrol who've worked hard for attaining leadership,
aerospace and citizenship activities; in fact, two cadets
today were awarded, Brian and Bruce Hobner, twins, who've
worked hard for the Billy Mitchell Award and the Amelia
Earhart Award. They're a great group of young cadets and I'd
like us to honor them today.

PRESIDENT:

Will our guests please stand and be recognized. Welcome
to Springfield. Ladies and gentlemen, we have today with us
a number of special guests and the Chair will yield to Sena-

tor Laura Donahue. Senator.

SENATOR DONAHUE:

Thank you, Mr. President. I really have the distinct honor of introducing to you another group of Blue Devils from the Quincy Senior High School. I've had the distinct honor of introducing the state championship basketball team, now I have the honor of introducing to you the Quincy Quiz Bowl Champions. They have won the state tournament two years in a row and they have a record this year of fifty-three and three and a...a ten-year combined record of three hundred and thirty-two and twenty-seven. They also attended the Texaco Academic Championship at the University of New Orleans in June of this year and out of seventy-six teams, the Quincy team finished in the top sixteen. We think that's quite an honor. I'd also like to introduce to you their coach, Beth Young, who will introduce each of the team members. Beth.

BETH YOUNG:

(Remarks by Beth Young)

SENATOR DONAHUE:

Thank you, Beth. I think we all know the type of dedication and the hard work that it...that these young people have put in in order to reach this accomplishment, and I'd just like the Senate to know how proud I am and for them to know how proud the State of Illinois is of you. Thank you for being here. God bless.

PRESIDENT:

Senator Mahar, for what purpose do you arise, sir?

SENATOR MAHAR:

Point of personal privilege, Mr. President.

PRESIDENT:

State your point.

SENATOR MAHAR:

Mr. President and colleagues, I have on the Floor with me today...the recently past president of the High School Dis-

trict 230 Board of Education and, hopefully, with your support, Mr. President, and the rest of the members, she will be the next appointee to the State Board of Education, is Miss Doreen Crewe. Please join me in welcoming...

PRESIDENT:

Doreen, please...stand and be recognized. Welcome. Ladies and gentlemen, if I can have your attention, obviously, if you look at the Calendar, we don't have a particularly heavy workload. The intent of the Chair, having talked with Senator Philip, is we will go to the Order of Committee Reports and do the Executive Appointments Committee Report and start on the Order of Secretary's Desk Concurrence with Senators Jones, Brookins, Netsch, Welch, del Valle and go right through the Calendar, and when we finish, we'll decide whether we're going to lunch or what we're going to do. Committee reports.

SECRETARY:

Senator Lechowicz, chairman of the Committee on Executive Appointments, Veterans' Affairs and Administration, to which was referred the Governor's Messages of October 21, 1987; April 7, 1988, A; April 7, 1988, B; June 15, 1988; June 21, 1988 and June 24th, 1988, reported the same back with the recommendations that the Senate advise and consent to the following appointments.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's Appointments set for in his Messages of October 21, 1987; November 4th, 1987; April the 7th, 1988, A and B; June 15th, 1988; June 21st, 1988 and June 24th, 1988.

PRESIDENT:

You've heard the motion as placed by Senator Lechowicz.

Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Senate does now resolve itself into Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With the respect to the Governor's Message of October 21st, 1987, I'll read the salaried appointment to which the Senate Committee on Executive Affairs...Veterans' Affairs Administration recommends that the Senate do advise and consent.

To be a member of the Illinois Racing Board for a term expiring on July 1, 1992, Mr. Dan Webb of Chicago.

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

PRESIDENT:

Any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Having read the salaried...with respect to the Governor's Message of November 4th, 1987, I'll read the salaried appointment to which the Senate Committee on Executive Appointments, Veterans' Affairs Administration recommends that the Senate do advise and consent.

To be the chairman and member of the Illinois Racing Board for a term expiring July 1, 1992, Mr. Farrell Griffin of Chicago.

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

PRESIDENT:

Discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Opposed will vote Nay and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of April 7, 1988, "A", I'll read the salaried appointment to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be deputy commissioner of the Commissioner of Banks and Trust Companies for a term expiring February 1st, 1989, Mr. Scott A. Miller of Belleville.

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

PRESIDENT:

Discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of June 15th, 1988, I'll read the salaried appointment to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be Chief Justice of the Court of Claims for a term expiring January 17th, 1994, Mr. James Montana of Chicago.

To be a member of the Liquor Control Commission for a term expiring February 1st, 1994, Mr. Virgil Wikoff of Champaign.

To be a member of the Board of Review for a term expiring January 16th, 1989, Mr. Patrick Duff of River Forest.

To be a member of the Illinois State Labor Relations Board for a term expiring January...27th, 1992, Mr. Robert Hillard of Oak Brook.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDENT:

All right, you've heard the request of Senator Lechowicz. With leave of the Body...discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed vote Nay and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of April 7, 1988, "A" and "B", I'll read the unsalaried appoint-

ments to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be members of the Illinois Health Care Cost Containment Council for a term expiring September 5th, 1990, Donald Ames of Elmhurst, Robert Burger of Chicago, Charles Goulet of Geneva, Ruth Rothstein of Chicago, Charles Van Vorst of Champaign, Kenneth Morrissey of Naperville, William Frayser of Broadview, Edward Mazur of Wilmette, Johanna Lund of Rockford.

To be a member of the Illinois Health Care Cost Containment Council for term expiring January 1, 1991, Raymond Werntz of Glenwood.

Mr. President, having read the...unsalariated appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDENT:

...you've heard the request of Senator Lechowicz. Is leave granted? Leave is granted. Discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Opposed vote Nay and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of...June 15th, 1988, I'll read the unsalariated appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends

that the Senate do advise and consent.

To be members of the Advisory Board of Necropsy Services to Coroners for a term expiring January 15th, 1990, John Tolbert of Hinsdale, Charles Bilyeu of Springfield.

To be members of the Advisory Board of Necropsy Services to Coroners of a term expiring January 21st, 1991, Charles Bramley of Divernon, Phyllis Jameson of Milford, James Walker of Carbondale, Richard McDaniel of Sparta.

To be a member of the Illinois Health Care Cost Containment Council for a term expiring September 5th, 1990, Larry Lawler of Decatur.

To be a member of the Illinois Farm Development Authority for a term expiring January 21st, 1991, Bernard Donovan of Decatur.

To be a member of the Surface Mining Advisory Council for a term expiring August 8th, 1989, Wendell Clark of Victoria.

To be members of the Board of Agricultural Advisors for a term expiring January 16th, 1989, John Campbell of Champaign, Harold Dodd of Loami, Stuart Mueller of Taylor Ridge, Dean Roy of Rockford, Enid Schlipf of Gridley, Floyd Schlueter of Belleville, John White of Elburn, James Monier of Princeton, Ernest Robinson of Cameron, Leland Glazebrook of Sullivan, Russell Stauffer of Springfield.

To be members of the Agriculture...Export Advisory Committee for a term expiring January 16th, 1989, Bard Board of Barrington, Richard Rost of Hoffman Estates.

To be a member of the Advisory Board of Livestock Commissioners for a term expiring January 16th, 1989, Richard Jurgens of Peoria.

To be a member of the Illinois Job Training Coordinating Council for a term expiring July 1, 1989, Leonides Aviles of Chicago.

To be a member of the Atomic Radiation and Dioxin Poisoning Victims Advisory Council for an unspecified term, Bill

Gomora of Lockport, George Edwards of Sterling, James Lahr of Lincoln, Frank Chamberlin of Quincy, Larry Beeson of Stonington, Peter Orris of Chicago, Willie Collins of Kankakee, Ben Flerlage of Mt. Vernon.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on...one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDENT:

All right, you've heard the request of Senator Lechowicz. Is leave granted? Leave having been granted, is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed vote Nay and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of June 21st, 1988, I'll read the unsalaried appointment to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be a member of the State Board of Education for a term expiring January 16th, 1989, Doreen Crewe of Palos Park.

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

PRESIDENT:

Discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in

favor will vote Aye. Opposed vote Nay and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect the Governor's Message of June 24th, 1988, I'll read the unsalaried appointment to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be a member of the Capital Development Board for a term expiring January 20th, 1992, Mr. Robert Oxtoby of Springfield.

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

PRESIDENT:

You've heard the request. Discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Opposed vote Nay and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, I move that the Senate arise from Executive Session.

PRESIDENT:

You've heard the motion as placed by Senator Lechowicz that the Senate do arise. All in favor indicate by saying

*AB 209
concurrency*

Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Ladies and gentlemen, I've asked the Secretary to pass out the supplemental Calendar. We will proceed on the Order of Secretary's Desk Concurrence and go through the regular Calendar and then the supplemental contains the Secretary's Desk Nonconcurrence and we will proceed through that and then we'll decide what we're going to do. On the Order of Secretary's Desk Concurrence is Senate Bill 209, Madam Secretary.

SECRETARY:

House Amendments 1 and 4 to Senate Bill 209.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of...of the Senate. Senate Bill 209 with House Amendment 1 and 4 rewrites the Architectural Act and Professional Engineering Act...the Structural Engineering Act and the Optometric Practice Act. It requires corporations and partnerships of architects and professional structural engineers to register with the Department of Professional Regulations, authorizes the Department of Professional...Regulations to discipline architects and professional and structural engineers. This amendment was worked out between the department and the industry representatives, the architects and the engineer...Professional Engineer Act sunset on December 31st, 1989. This is the rewrite of the Act and I know of no opposition. I ask for a favorable vote.

PRESIDENT:

Any discussion? The gentleman has moved concurrence. Any discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 4 to Senate Bill 209. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have

all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments 1 and 4 to Senate Bill 209 and the bill having received the required constitutional majority is declared passed. 566, Senator Brookins. Madam Secretary, on the Order of Secretary's Desk Concurrence...on the Order of Secretary's Desk Concurrence is Senate Bill 566.
SECRETARY:

House Amendments 1 and 2 to Senate Bill 566.

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I move that the House do...the Senate do concur in Amendment No. 1 to Senate Bill 566. Amendment No. 1 raises the fee from twenty-five to fifty dollars so that the program will pay for itself. Amendment No. 1 also changes the effective date to 1989. It clarifies the position of students and exempt...cardiopulmonary technicians from the provision of the bill. Amendment No. 2 changes the name of the department to Professional...Regulations. This bill will protect the health and safety of elderly home care. It does not hurt the hospital nor does...not add to the cost of care. Well, again, we passed this bill before with a forty-five percent vote. I ask for your concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. Here we go...here we go again with the...the same issue that was before us yesterday. Those of you who have small hospitals, particularly small hospitals in your district, you should take a careful look at this bill. What the sponsor seeks to do here is license another class of people, a group of people which may be

difficult to find in small communities to perform a service which is already being very competently performed by registered nurses. The Illinois Hospital Association is adamantly opposed to this bill and all of us who are concerned about health care costs ought to be opposed to this bill. Now I'm sure the sponsors are going to tell you how badly we need to license this class of people, but the fact of the matter is, that when evidence was presented in...in committee, there wasn't a shred of evidence in...that indicates that there's any public health exposure or danger in not creating this class. I think we've gone far enough in raising the cost of health care in this state and we don't need to add to that problem by passing bills like this. I would ask you to oppose the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. I would just like to echo the words of my friend, Senator Schuneman, who is quite...right on target on this particular piece of legislation. The sponsor mentioned that this won't hurt hospitals. Well, that's not what I'm hearing from the hospital association people in my district. He also said that this isn't going to have an impact on the...on the cost of care. Quite to the contrary. What's going to happen in many of the rural areas is simply availability of people to provide this service. There's going to be a limited amount of people available and, as a result of that, the cost is going to go up. This is something that's got to...you should be very concerned about. There were many people who spoke yesterday in opposition to this and I hope that they're going to concur that this particular piece of legislation should fail.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand in support of 566. Currently, there's a manpower shortage in the areas of respiratory therapists. The director of licensing, I understand, came out to one of my community colleges and said that they are offering pay incentives in Florida of a thousand dollars for respiratory therapists to come down there. There's a thirty-four percent national pass rate...thirty-four percent. That doesn't say too much for that area; yet, in a lot of the community colleges out in my district, there's a ninety-six percent pass rate as far as the respiratory therapists are concerned. We need to assure the quality care in our hospitals in the area of respiratory therapists and...we need to know that the people that are operating the life support systems in our intensive care units are qualified and, therefore, I see no problem whatsoever licensing these people. It gives the people in the hospitals the quality of care, and I can't understand why Senator Schuneman would even think that any hospital would stand here and say that there's a problem in this area because I don't think that's what they're there for to say that there's a problem in this particular area. It's a problem that...that we see in our schools. If we think that our community colleges are going to...they can't actively pursue this because there's no licensing to these people. They...they are in an area where there's no flexibility whatsoever and we need to make that area more professional; therefore, I stand up and support 566 and ask my members to vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. I rise in support of the House amendments to Senate Bill 566.

We did hold a hearing on this matter and when you talk about critical care, you talk about that person who is in charge of the respiratory problems that you might have when you're in the hospital. I'm surprised the hospital associations are opposed to this because they should be in strong favor of this piece of legislation because you're talking about quality care. This is a specialized field. If you're in there with a...having heart problems and so forth, you want a person there that is qualified that's going to do the job. The hospital associations should be...in strong support of this and don't be so concerned about cost when we talk about health care and this give quality health care. Nurses are not trained to the degree where...and they can perform these particular duties; they know about it, but they are not specialized in this field. We should concur in this amendment because it's a very good bill. It...it deals with health care for the people of the State of Illinois and it should...receive a resounding vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Ralph Dunn.

SENATOR RALPH DUNN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Ralph Dunn.

SENATOR RALPH DUNN:

Senator Brookins, or the sponsor, does this grandfather in all the people who are working as respiratory therapists now throughout the state?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Yes, Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR RALPH DUNN:

Would...would that mean after they're grandfathered in they'd give better care then than they do now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Senator Dunn, as a professional in any professional, whenever he enters into his field, he gives the best care that he's able to and to his knowledge. So, I would imagine and I would really be standing saying to you that, yes, they would as a professional continue to give the first class service that they have always been giving.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Ralph Dunn.

SENATOR RALPH DUNN:

Thank you...thank you, Mr...what the sponsor said is that they're giving good care now. All they want to do is license them to freeze in their job so that someone else can't get their jobs. This is the kind of thing we've been doing ever since I've been in the Legislature. People come to us and say, you know, somebody might take our job, license us and make it impossible for anyone else to get into our profession, and that's what this is and I'd urge a No vote. I think it's a terrible bill and I hope that we'd vote against it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Brookins may close.

SENATOR BROOKINS:

I think Senator Raica and Senator Jones said it best and we can know that Senator Raica is a professional, is knowledgeable of this area. We're attempting to bring on line better and higher skilled people. We're attempting to give them the best knowledge to perform a job. This is what

we're doing and I'm asking for a favorable vote on this matter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate concur with House Amendment...House Amendments 1 and 2 to Senate Bill 566. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 20, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 566 and the bill having received the required constitutional majority is declared passed. Senate Bill 998, Senator Berman. 1167, Senator Netsch. Senate Bill 1167, Madam Secretary.

SECRETARY:

House Amendments 1 and 2 to Senate Bill 1167.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would move that the Senate concur in House Amendments Noes. 1 and 2 to Senate Bill 1167. This is the Private Activity Bond Allocation Act as amended to update references to the 1986 Federal Tax Code and to make certain other accommodations. It does not change the substance of the Private Activity Bond Allocation Act nor of the Governor's Orders, but we do...we absolutely must have legislation on the books by December of this year in order not to...lose the...or risk the possibility of losing some of our bond allocation. Basically it still says that in addition to home rule units which are mandated in by the federal legislation that the state agencies and the other local governments divide the rest half and half and basically on a first come, first serve basis. That is not changed. The amendments are...the second one is...or the first one, I'm sorry,

is the updated version; that is, it has all of the correct references, and the second amendment was a technical one just simply reinserting one reference to local government units. There is one thing, Mr. President, that...on behalf of the Illinois Housing Development Authority, I would like to do. They had indicated that perhaps we ought to add language in one place but decided that it was not necessary. I would, however, like to make it clear that in Section 6 which has to do with the voluntary reallocations, where it reads that a home rule unit, the state or a state agency at any time may...reallocate any portion of its unused allocation volume cap, we are absolutely clear in our own minds that that should and does include for this purpose any valid carryforward allocation under Section 103 of the Internal Revenue Code of 1954, that's the Federal Internal Revenue Code as amended, or Section 146 of the code. That is simply to clarify the thrust of that language. Beyond that, I would be happy to answer questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 1167. 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 58, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 1167 and the bill having received the required constitutional majority is declared passed. 1456, Senator Welch. Page 7, Secretary's Desk Concurrence, Senate Bill 1456, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill...pardon me, House Amendments 1, 2 and 3 to Senate Bill 1456.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would move to concur in House Amendments 1, 2 and 3 to Senate Bill 1456. Senate Bill 1456 passed this Chamber in May of 1987 on a unanimous vote. When it got to the House, there was some objection from a couple of county board chairmen. It is my understanding that their objections have been met and they have removed their objection to the bill. What Amendment No. 1 did to 1456 was restore statutory provisions that the president or chairman of the county board together with the superintendent of the Veterans' Assistance Commission shall have general oversight of the distribution of money and supplies for indigent veterans. The distribution will be subject to county board approval. Secondly, the county board approval of compensation of the commission superintendent and his employees is clarified and, third, it...specifies that the superintendent, his employees are employees of the Veterans' Assistance Commission, not of the county. Amendment No. 2 which was added to the bill creates a veterans' home in the City of LaSalle to be operated by the Department of Veterans' Affairs. This particular veterans' home is already being constructed and the property has been acquired, demolition has gone...gone on on the existing building and now the new building is being built. The money has already been appropriated, so this bill needs no separate appropriation. The rest of the language in that amendment is standard for creating a veterans' home. Amendment No. 3 was an amendment put on that adds to the list of individuals the American GI Forum and the Mexican-American Veterans' Association to those veterans' groups involved in provision of assistance to indigent and suffering veterans. I'd be glad to answer any questions, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you. I'm not trying to be...raise any questions here on some...but I...I would like to clarify from something that's been happening in my county, and I have two questions for the Senator. The first question deals with the Veterans' Assistance Commission. Does that have any type of a tax increase imposed and property tax increase established with it? Does there...is a referendum involved? I know it...there is now under the law. Is there in...under this provision?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

This provision doesn't change the existing Statute as to how the Veterans' Assistance Commission is funded, just how the salaries are to be determined for the chairman and his employees.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Second question deals with the LaSalle Veterans' Home. Are the entry and admissions requirements and everything set up for that home the same as the Manteno and the Quincy Veterans' Home?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator, my understanding is that this is exactly the same language used for the other homes. I...I don't know of anything to the contrary; if so, I'll...I'd tell you...or I'll have somebody tell you but I don't think it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue. All right, further discussion? If not,

the question is, shall the Senate concur with House Amendments 1, 2 and 3 to Senate Bill 1456. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendments 1, 2 and 3 to Senate Bill 1456 and the bill having received the required constitutional majority is declared passed. Senate Bill 1558, Madam Secretary.

SECRETARY:

House Amendments 1, 2, 5, 8, 10 and 11 to Senate Bill 1558.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR del VALLE:

Thank you, Mr. President. I move to concur with House Amendments 1, 2, 5, 8, 10 and 11 to Senate Bill 1558. House Amendment No. 1 makes several technical changes. House Amendment No. 2 is the amendment that, in effect, generally applies to the cosmetology schools the same provisions that are already in the bill with respect to the business and vocational schools. House Amendment No. 5 defines enrollment time as the maximum number of hours a student would have attended class regardless of whether he attended or not and defines elapsed enrollment time as...that which elapsed between a student's actual starting date and his last day of attendance. Also makes other technical changes. House Amendment No. 8 was requested by the Attorney General's Office to further spell out the criminal offenses. House Amendment No. 10 deletes...the provision that misrepresentation which could induce a person to enroll in a school is a violation whether or not the person is, in fact, deceived. And Amendment No. 10...or rather Amendment No. 11 simply changes the refund

*SB 1592
concurrency*

policy for the cosmetology schools to come into par with the accredited business and vocational schools' refund policy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not,...if not, the question is, shall the Senate concur with House Amendments 1, 15...I'm sorry, with 1, 2, 5, 8, 10 and 11. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none. The Senate does concur with House Amendments 1, 2, 5, 8, 10 and 11 to Senate Bill 1558 and the bill having received the required constitutional majority is declared passed. On the Order of Secretary's Desk Concurrence is Senate Bill 1592, Madam Secretary.

SECRETARY:

House Amendments 1, 15 and 17 to Senate Bill 1592.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the House...that the Senate do concur in House Amendments No. 1, 15 and 17. House Amendment No. 1 clarifies and makes technical changes where necessary, revises the home rule section of the bill to provide that the establishment of a home equity program is exclusive jurisdiction of the state but only with respect to municipalities over one million. The changes made by this amendment are technical clarifications and...and grammatical corrections. Amendment No. 15 is at the request of...the Illinois Association of Realtors requested this amendment. It clarifies that the guaranteed value is determined at the time of registration...Amendment No. 17 adds the National Association...of Independent Fee Appraisers and the National Society of Real Estate Appraisers to those appraisals...organizations by whom

appraisals used by the governing commission may...may be certified, and I move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not,...Senator Brookins.

SENATOR BROOKINS:

Ladies and Gentlemen of the Senate, I rise in strong opposition of this bill, Senate Bill 1592. I see it as a bill that attempts to divide and divide something in the City of Chicago which we're having problems with even as I stand and talk to you. So, I call upon my leadership, the leadership of my party, the leadership of the Senate to reject this bill. It is reported to be a home equity bill. Nowhere...nowhere in the laws of our country do we guarantee profits for anyone or do we guarantee that you're going to be able to sell your home for what you paid for it. That's not right. This bill reported to give a feeling of security to whites in white communities. It does not do that. Yes, you may say to me that I, as a minority, and my constituencies, as minority, are taking this out of context, that we're supersensitive to it. I say to you that we're not. I say that we see it as a racist dividing bill to divide the City of Chicago and to prevent the movement of a people freely within the City of Chicago. If it was a good thing, then we would have it for the entire State of Illinois, but, no, you want to say that it's only good for the northwest and southwest portions of the City of Chicago. I say to you, no. I say in my own district where I have such neighborhoods as Chatham, West Chesterfield where the property value in those neighborhoods has increased and doubled and tripled since they have changed. I say that a minority moving into a community does not automatically cause property to...I know...I know that...I know that realtors that peddle...peddle panic in communities are wrong and scare people and make them sell as a loss, but if you do not sell, that is the way to prevent

the change of your community. I say to you that this is a bad bill. It's bad. It's wrong. I say, don't do it. I say to my colleagues from downstate, don't be a party of this, don't add something on the City of Chicago that is not good for the State of Illinois. I say to the leadership of my party, don't do this. Don't do this. Don't drive a wedge within our party. Don't do it. I say to my Senate colleague and the Senate leadership, don't allow this to happen. Don't do it. I ask for a No vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Dudycz. I'm...Senator Dudycz.

SENATOR DUDY CZ:

Thank you, Mr. President. Last month on May 11th, this Body debated the merits of Senate Bill 1592. After lengthy debate by no less than twelve speakers, this Senate passed home equity with forty-three affirmative to twelve negative votes. I, for one, am proud to say that all twenty-eight members of the Republican side of this Senate voted in the affirmative and I am confident that we will receive unanimous support on this side this afternoon. When the bill went to the House of Representatives, attempts were made to trash it. There were eighteen amendments that were introduced, fifteen of them were introduced by opponents, most of them had the intent to make home rule or home equity unworkable and most were defeated and rightfully so. However, three...three amendments were adopted and we are being asked to concur with them this afternoon. As Senator Lechowicz stated earlier, and I will repeat briefly, Amendment No. 1 basically is a clean-up amendment. It changes the home rule preemption. It does not require a three-fifths vote for passage. Amendment No. 15 removes the authority of the commission to approve the appraisers as the...as amended, the commission can set standards for appraisers but only to the basis of quality and

timeliness. And further, it removes the ability of the commission to choose real estate brokers at the second showing thereby allowing the seller to choose the broker. And, finally, Amendment No. 17 broadens the amount of appraisers by including two new appraiser associations. There's no legitimate reason, ladies and gentlemen, for any member of this Senate to oppose Senate Bill 1592 as amended. The citizens group, To Save Our Neighborhood, Save Our City Coalition, which has been working for home equity for over eleven years is not totally satisfied. No one is totally satisfied with this bill, but the SONSOC people are willing to live with it. It's a good compromise, the basics are there. The people who will be affected by home equity want it. The Chicago Sun-Times, the Chicago Tribune, the...Catholic Archdiocese of Chicago all support it. Our neighborhoods in the City of Chicago need it. Please help us make this eleven-year dream by the people of Chicago a reality and I ask for your affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Channel 2 in Chicago has requested leave to film the proceedings. Is leave granted? Leave is granted. It's so ordered. Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, Senators. I rise in opposition to this bill. I rise in opposition to it not simply for the reason that it is untimely and that it raises questions, but...may I have some order, please, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Ladies and...ladies and gentlemen, if we could have some order. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President and Senators, I rise in opposition to this bill for a number of reasons, the first of which it is a absolutely revolutionary concept.

There is no precedent for what we have before us now. The second is that this is a real problem and this is an awful approach to the solution. It simply doesn't go to the problem. The problem is a deteriorating and disappearing housing supply in the City of Chicago, that's a fact. Crane Chicago business, I think, pegs the number at sixty thousand units that we lose annually, to say nothing for the deterioration that goes on there. A more sensible approach, Senator, would be to employ the thousands of unemployed youngsters in the City of Chicago in building and rehabilitating their own communities. The issue is that these youngsters are unable even to get the training to do so. That's the problem, and if your neighbors were really sincere about attempting to stop deterioration and destruction of the disappearance of property from the property tax rolls causing the bungalow owners tax assessment to go up, and you know that and I know that, if they were serious about it, what they would do would be to insist on an economic development program that put our youngsters to work doing what they can do. I'm talking about youngsters whose...grandparents came to Chicago as crafts people, as carpenters, as plasterers, as latherers. As a matter of fact, you could tell the section of the country from which they came by the trade that they practiced. Their grandchildren cannot practice those same trades and because they cannot do so, they cannot rebuild, they cannot...rehabilitate. That, sir, is the problem that we face and no number of equity programs are going to resolve it. What it's going to do instead is cost the taxpayers more money, the tax base is going to go up...or rather the tax costs are going to go up. In the meantime, what you are going to do is still doom a number of young people to careers in the antisocial arena. They're going to be going to jail, driving the cost up to every taxpayer in the State of Illinois. That's where the problem lies. This is a divisive

bill. It is presumptuous. It has...it...it leaves...finally, the myth of majority. Let me tell you something, there is no majority population in the City of Chicago anymore. What we're talking about is a series of minorities and what you are doing now is locking out not a minority but a...a...a congeries of minorities which make up a majority of the population of the City of Chicago. This is a loser from start to finish. It ought not be countenance and I would ask every one one of my colleagues to vote No on this bill as it stands. It ought to deserve the fate to die in peace. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Channel 7 has also requested permission to videotape. Is leave granted? Leave is granted. And also Channel 5 in Chicago. Leave is granted. Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. This bill has taken on a character of its own having nothing to do with the content of the bill or the concept of home equity as it is demonstrated in the Village of Oak Park which I...formerly lived before moving to the City of Chicago. What we're doing here will have far-reaching consequences and would most certainly facilitate the continuous polarizations of the races and ethnic groups in the City of Chicago, and believe it or not, that is the danger of doing this. Each of us have a responsibility to represent the districts which we are elected from and also a responsibility to all of the citizens in the State of Illinois, and sometimes we are called upon to make decisions and those decisions...or to support issues may be right, but if passing of those particular laws will cause chaos or dissention among a large number of people, then we need to rethink what we're doing here and this is the case of this particular bill. This bill is

perceived by minorities, blacks in the City of Chicago as being strictly racist. Now, I'm not going to stand here and say that this bill or the basic premise behind what this bill is trying to do is racist in itself. The promotion of the bill, the persons who are pushing and promoting this bill and the politics that have gotten involved in this whole issue lends itself to being...gives credence to, rather, the feeling that this bill is racially motivated. Now whether that is real or imaginary, I am appalled that the downstaters and the Republicans and those who live outside of the City of Chicago will have some kind of interest or vested interest of getting involved in this issue. This issue should not have been even debated in the General Assembly. It is a local issue. It should have been resolved at the local level. And I say to the downstaters, what interest do you have or what right do you have to get involved with this kind of issue when there are seven members on this side of the aisle who says this issue is bad for our constituents, it will cause problems for us, for our constituents, leave it alone? And I say, you ought to be willing to respect our wishes and do that because you don't have any interest in this bill and what it will do in the City of Chicago. We go along and we support you on many issues, but this year...and if I have to do this on a point of personal privilege, let me just bring some things in focus why this issue is even worse than what it is. It's what has been happening in this General Assembly as it relates to the City of Chicago and specifically to black people in the City of Chicago since the death of Harold Washington. We have consistently down here voted for bills that...that...that appear to be for no other reason for racist reasons. For example, why in God's name would the leaders of the Democratic party vote for a nonpartisan election in the City of Chicago when the...stronghold over the Democratic party has been the City of Chicago and the leader-

ship, the mayor of the City of Chicago? But what has happened here, we have a black mayor perceived as being weak and so you decided that rather than have a black mayor in the leadership of the Democratic party, you'd rather have a total nonpartisan election, nonpartisan, and so, downstaters, you voted for it. We stood here, we talked endless about the very serious impact mandatory insurance would have without regulations and without some control, and you voted for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR DUDYCHZ:

Point of order, Mr. President. Mr. President, we're...we're debating home equity, not mandatory insurance. I resent my colleagues on the other side repeatedly using the words "racism" in this. This is not racist and I want the record to show that I object every time that word is being used in this debate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Collins...Senator Collins, would you bring your remarks to a close and we'd be happy to have you...recognized again on the second time, if you wish to, but you've exceeded your time. Senator Collins.

SENATOR COLLINS:

Yes, I will bring my...my remarks to a close. I have not charged racism. Things are the way our constituents perceive them to be, real or imaginary, and no one can say that this issue is not...is not looked upon in the City of Chicago among masses of people as being purely racist. That's the fact whether you want to accept it or not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Raica.

SENATOR RAICA:

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

Senate. We have before us an issue that was brought to this Body once before and passed this Body. Senator Collins in this Body brings up the mayor of the City of Chicago. This bill here is not about the mayor of the City of Chicago. It's about the people here in the balcony, the people who came to Springfield not once, not twice but three, four, five times to get the attention of both the House and the Senate regarding the issue of home equity, and you talk about a weak mayor. You brought up the concept he's perceived as being weak. It's the mayor of the City of Chicago who vetoed this piece of legislation in the city council. This home equity issue passed the body of the city council and was vetoed by the mayor of the City of Chicago. The members of the House and the members of the Senate have to show the mayor of Chicago that we run this Body through our people and our people are in favor of the home equity issue. Senator Newhouse brings up the point that this is a revolutionary concept. They have it in Oak Park. How is this a revolutionary concept? You know what this bill does? It offers the people in our districts, Senator Dudycz's district, my district, Senator Lechowicz, the sponsor's district, the freedom of choice...the freedom of choice. Then we bring up racial...if you don't want this particular piece of legislation, the home equity bill, in your ward, the people don't have to vote for it. That's as easy as it is, but to deny these people here in the balcony and say that it's either racist or we shouldn't even hear it, for what? The mayor of the City of Chicago said plain and clear he's not in favor of it, but he doesn't control this Body and don't let him fool you. If he was for the people of the City of Chicago and interested in bonding the...bonding these people together and making their communities and bringing up their communities and have these people have some respect for their communities, he should have went for this bill and he didn't.

Well, he doesn't control me and he doesn't control the sponsor of this piece of legislation and he's hurting the people that came here and fought for this every day. I solicit your Aye vote on this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand because I'm concerned. I have been abroad about seven times. I've traveled abroad. I've been to the European countries...about five times. I've traveled to Poland. I've been to Czechoslovakia. I've been to Finland. I've been to Russia. I've been to Paris, France; Denmark, Belgium those...all of those places, and I often wondered because every country that I went into it was different, and I went to some of the countries over there where you actually stood in line to wait to board a bus. You stood in line to go to the department stores, but you didn't have to worry about anything in the store for getting bargains like we do here in America because the prices were all the same, so you just wait in line, if you want cut glass or whatever you wanted to buy in those countries. The people are very disciplined people there and everybody is sort of on one accord, and I found out that it was the government that was controlling everybody, they knew what they had in their houses, if they wanted to go to school, they had to do this, they had to report the government. Their life was not their own but it was a...a book open to the government of those countries. When I came back on the plane and I passed over the statue of the land...the Statue of...Liberty, I said, thank God I'm going home to the land of the free and the home of the brave, but what I am looking at this morning in this legislation is making me think that I'm going to return to the countries abroad where I saw a real disciplinant among

the people for this piece of legislation, even though it seems as though...we're moving back into that age, we're not going to be free that if I can root, let me root but if I can't root then let me die. Whether you want to or not, we're moving into a stage here in America that if you think that you have...want some gold in your house and you want some silver and you want a boat or you want a plane or if you want to have a summer home, it's going to be left up to the government to tell you whether you can have it or not. Your life will not be your own even though you say you're living in America, the land of the free and the home of the braves. We're supposed to be a people united here in this America but I don't see that today for in this bill it creates an all powerful commission to oversee the transfer of property in areas. You're not free to move where you want to. If I have a certain amount of money and I have risen to the heights in this America, I'm supposed to go where I want to go, do what I want to do as long as I have the money to pay for it and to benefit my children, but this commission must be notified before you can even sell a home. They can tax when needed to meet obligations without referendum and without prior approval to the local council and I'm having that in my own neighborhood right now. The gas company came and moved and put a meter right in front of my house that I own and said they did not have to notify me even though I'm a homeowner and a taxpayer, but this is what we're moving into here in this country. They tell you the people which offer to accept or reject in certain instances, in essence, this commission that is going to come into being, that's going to tell us what, when and where; those of you elderly people who have worked all of your lives to raise your children and have a home and think that in your senior days that you're going to be comfortable, someone...Johnny-come-lately that has a little bit up here but doesn't even have a floor...a rug on

their floor but if that's working for the element and for the movement are going to tell you, you're going to have to move up your home, they're going to rezone the property and you get out and you thought you were going to be comfortable in your latter years, you've raised your children. This is the move that we're going into right now, a commission to tell you what, when and where. This commission is potentially dangerous...property czars, that's what they are, that should not exist for anyone. The creation of a program that allows for multiple commissions throughout the city instead of one sets a place of...a dangerous...it's the we's but they...a mentality that is bad for a city already engrossed in racial disarmament and we have it in this city and in this state. Illinois is tearing itself asunder and it does not...yet appear to how far we're going to go down the road because of our lack of real Americanism. We are invoking all kinds of...of...of ologies into our religion, into our society, the haves and the have nots, and this is dangerous ground, my friends, that we are letting ourselves go...because of power. I don't want you to come over in my neighborhood, I don't want you to go over there and I don't want you to go there...what's worse than talking about gangs. This is gang on a higher order. I can't go over to your side of the lane, this is...and then you got a tax created in this bill that is not voluntary. All those living in the effected areas are taxed whether they are signed up on the program or not, and this is wrong because in both cases where this program exists there are less than two hundred members, people listen to me, in the program but up to five thousand households that are taxed to support and protect the fears of less than two hundred people. And finally, the bill also has a hidden tax in that the appraisers will inflate the value of the appraisal so that the homeowners can get maximum value assured and then the local...assessor will get possession of your inflated

values and this will...will occur in spite of the supposed confidentiality natured by the appraisals since appraisals are made on a comparative basis and requires knowledge of other appraisals to be valid. Once the assessor knows the increased appraised value, he will adjust the tax upward to coincide with the appraisals. Whether you understand this or not, and many of us don't understand at all, it seems hypothetical, but the bottom line is regardless of your race, creed or color, those who are bent on tearing up this society, a free government, not knowing to vote who you want to vote but you vote the way they say vote because they have pushed you into a...a...a rut. I say that this is dangerous and I ask you out of the mittage of my heart here this morning to watch what you are doing. You're slowly living in a progressive age but you're slowly retrogressing as a people here in the State of Illinois. I say vote this down.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? I would again caution the members to be brief as possible. Senator Jones.

END OF REEL

REEL #2

SENATOR JONES:

Yeah, thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Jones.

SENATOR JONES:

Senator Lechowicz, Amendment No. 1 deals with home rule powers and the provision in there. Could you explain how...how this amendment would...would preempt home rule and make it exclusive jurisdiction of the State of Illinois?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, if you take a look under Section 20 of the amended bill, it reads, "That the authority or duty to establish or prohibit the establishment of home equity programs in any municipality with more than a million inhabitants including home rule units with the determination of the terms of such programs as declared to be exclusive powers and function of the state which may not be exercised concurrently by any such municipality. No municipality with more than a million inhabitants including home rule units shall establish or maintain a home equity program other than as provided in this Act and any such municipality shall affirmatively establish and maintain a home equity program which required to do so pursuant to this Act." That was amended in the House and the purpose of that amendment was to make sure that if there was a question as far as the home rule section was changed so that the House could rule the bill would require a simple majority.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, I don't know if we have the...the power...I would ask for a ruling if we do, if we have the jurisdiction, I mean, have the power to do that in this Chamber. But, if it's making it exclusively to the state...to the City of Chicago...to the state as being restricted only to the City of Chicago, then I don't see how we can get around the pre-emption no matter how it's written. But...but to the...to the amendments in the bill, Mr. President and members of the Body. I was listening to some of my colleagues on the other side of the aisle as they talk about racism. Home equity in itself...on its face by itself may not be a problem as such but the racism was introduced when you said for racially changing neighborhoods which connotes and denotes that if a black moves in, the property values will go down. That's where racism got injected into this legislation by the sponsors and the supporters of the legislation. If they had never said that, then maybe the problem would not even be here. And I'm really shocked at the proponents on the other side of the aisle saying all twenty-eight Republicans are for this. The great party...the great party, Land of Lincoln, "A House divided against itself cannot stand" and it will not stand. No member on this side who spoke in opposition brought up the racism until it was interjected by the sponsors, racially changing neighborhoods. Senator Collins spoke about the downstaters, but it's only restricted to Chicago. And my...and my friends on this side of the aisle from downstate will go to the black community, go to the black voters and solicit their support. But how can they do that in honesty and support a bill like this when the sole intent...the sole intent is to say if a black person moves in, your property value assessments goes down? That's where the racism comes in. Racially changing neighbors, the

sponsor said that. So we should not be in the business of dealing in that type of legislation in the year 1989. The...the amendment should be defeated. There is nothing wrong with a person having their values of their property kept up where it can sell, there's nothing wrong with that. But it's the context...the context and the atmosphere for which this legislation was introduced. Again, I repeat over and over again, when you say that you need this to ensure that your property values remain at a certain level in racially changing neighborhoods, what you are saying in essence with that coded word, if minorities move in, your...your property value is subject to decline. You said it, and since you said it, you are just like Jimmie the Greek, he made that statement. So what I am saying to you is that it was...it was not introduced racism but the...if you had said, for all the people of the State of Illinois...if you had said that we want to ensure property values, then it's different, but you said racially changing neighborhoods and when you did it, it...it in turn became racist and we...in this Body should not divide ourselves. We should defeat this legislation in the best interest of all the people in the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I am going to be changing my vote on the home equity bill and I thought perhaps, at least for my own sake, I ought to explain why. I had voted Present before and I'm going to vote No this time, and I think there's a reason for it which I would just like to clear myself. My neighborhood, by the way, I think, is probably not directly involved. Indeed, if my neighborhood could get anything, they would probably love to have something that would, "reduce their property values" because they can't

afford to pay their property taxes anymore. But I don't think we're a subject for...probably for home equity. What concerned me initially was...it seemed to me that the supporters of home equity were really led to believe by a very substantial number of very important public figures that the bill was okay and that it had support. And then, kind of one by one, some of those people peeled off of their support and I felt very badly about that, I think that was not fair to those who were home equity supporters. And I don't think home equity has to be racially motivated. On the other hand, unfortunately, as the...the issue has developed and as the lines...have been drawn, it has become divisive and it has become racially divisive. And that was why, to be perfectly honest, when the bill came through before, I voted Present because it was neither a Yes nor a No that was the right vote for me at the time. I happened to be on the House Floor when the famous or infamous Amendment No. 12 debate took place which was...it was first enacted and then a motion to reconsider was made and it was subsequently withdrawn. And I...I listened to all of the discussion on that. That was the amendment that would have basically modified or removed the provision of the law that required, as I recall, five years continuous residence by a family unit somewhat narrowly defined. And...it seemed to me that the proponents of removing that section had a really very compelling valid argument. And when that, and I'm sorry to say, rather heavy-handed action took place in the House, that is, first approving the amendment, then moving to reconsider and defeating it the second time, it seemed to me that it had the affect, consciously or not, of confirming what many of the opponents of home equity have been saying, that, indeed, it is intended or at least in context has become a racially motivated proposal and that, I think, is exceedingly unfortunate. I don't think it really has to be. It seems to me that it is pos-

sible to have home equity that is quite legitimate and without any undercurrents of racism. But, regretfully, it seems to me that the course of this legislation in this legislative Body and particularly what happened on that amendment has confirmed that it is going to be perceived that way whether or not all of those involved believe that in their own minds. And on that score, I cannot support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I would just like to advise the Body, after listening to the debate that if the Body chooses, I would like to tell the black mayor of University Park, whose name happens to be Collins, and the predominately black board of University Park, a town in my community, what racist they are for having passed a home equity law. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. Two things; the bill does not define what local adverse market conditions that trigger recovery under the...the bill. As such, if the triggering event is race, the bill is unconstitutional since the bill was...signified blacks. If the triggering event is any adverse market condition, lights in Wrigley Field, factory relocation, lakefront erosion, then why are the sponsors opposed to having these amendments? I say that the bill is, Senator DeAngelis, racist, I stand on that. I know that the community from which is asking for this have minorities that live in that community. If it was such a good bill, why isn't there one minority in that organization? Tell me that, Brother Dudycz. I say the bill is racist, the people in my community say it's racist and I'll stand here and anyplace

else and say this is a racist issue and should not be...be...be before this Body.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. It is, indeed, unfortunately, late June. Some of the rhetoric, frankly, does not befit this Body. And I will say to Senator Netsch and others that the implication of racism was brought about by the opponents...by the opponents. I was on national television with Gene Sawyer, who happens to be the Mayor of Chicago, and that never came up nor should it. I have heard divisive, I have heard revolutionary, I have heard polarization. The fact of the matter is, I live in Oak Park and Oak Park has had this program in existence for eight years, not a single claim has ever been made, because the thrust of this program, ladies and gentlemen, aims at a fact of life with which we all have to live. There are some unscrupulous people out there. We heard yesterday at some great length that we are now commandeering again the war on drugs because there are some bad people out there. And so we are stripping away even constitutional guarantees and affording nonconsensual eavesdropping to get at that. You know what we're trying to get at that here? Panic peddlers. There are, in fact, some unscrupulous real estate people who engage in panic peddling. When I lived in the Austin community, I saw it firsthand and we...we had the opportunity, frankly, to complain about some of those people and have them prosecuted, but it's a fact of life. The single, biggest investment that most of my constituents ever have is their home and that's the most important thing. And what we are saying is, panic peddlers, stay out of here, we want to live here and we want to live here is peace, no more panic peddling. And if you don't want the program, don't

subscribe. This was voted by referendum overwhelmingly in the neighborhoods that are concerned and really want this. This, my friends, is a good program. And I personally resent any implication of racism. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have two people that are seeking recognition for the second time, we have Senator...Dudycz and Senator Jones and Senator Geo-Karis for the first time. Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I heartily concur with Senator Rock's remarks. It is the panic peddlers that we're trying to oppose, not a decency in home equity. And as Senator DeAngelis says, University City certainly is not a racist city and, yet, it has it in its books; Oak Park has had it in its books. So as long as people desire to do so, it's a voluntary thing; if they don't want to join the program, they don't have to. But I certainly think we should give the people the right to do so if they want to do so. This is America, the right of choice, and I certainly support the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones for the second time.

SENATOR JONES:

Thank you, Mr. President, and I apologize for rising the second time but I feel compelled to rise in response to Senator Rock. What I said in essence was this. There is nothing wrong with home equity, but I have heard from time to time that this bill was for racially changing neighborhoods, and when we talk about racially changing neighborhoods, we are talking about blacks moving in the area that have previously heretofore been predominantly white communities. As what it says, in essence, when you use that coded phrase, it becomes racism, it's the contents which the legislation and its sponsors and supporters have pushed, racially changing neighbor-

hoods which denotes that blacks will cause the property values to go down. Now that is racism.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I also apologize for rising a second time, but...Senator Jones, you are wrong, Senator Rock is right. All references to racially changing neighborhoods in this bill have been removed, Senator, read it. All references have been removed. The record of the transcripts of this debate this afternoon will show that all references to racism in this debate are by the opponents, not the...proponents of this legislation. And I continue to stand in outrage and insult by members on the other side continuously referring to this as being racist and referring to the sponsors of this legislation as...as proponents of racism.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For the second time, we have Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I rise a second time and I don't apologize for it because this bill is not going to solve the problem that we're trying to eliminate. I think, if the problem is the disappearing housing supply, if the problem is the deteriorating housing supply,...if the problem is the effect that has on the general real estate market, if the problem is how that affects certain people whose...who have invested in property, and I have done so; if the problem is that they want to enjoy their property without the deterioration going on around them, if the problem is they want to get a fair price for their property, and they ought to, then they've got to go back sooner or later to what's happening in that city. And what's happening is...in that city is that a large number of people who ought to be build-

SB 1592
Ruling of the Chair

ing, who ought to be repairing, who ought to be buying, who ought to be paying real estate taxes are not doing so. And as long as that happens, you're going to have a problem, I don't care where you move to, it's going to move to where you are. The deterioration will follow no matter where you go. I would feel much more comfortable with this protestations that there are no racial implications if those who are involved in the promotion of this bill would immediately...immediately address the real problem, and that is putting some youngsters to work who ought to be working, put some people building who ought to be building, put some people to work repairing where they ought to be...repairing, to create some taxpayers to reduce the taxes on the bungalows and on the houses, one of which I own, in the City of Chicago. That, to me, is a responsible answer to a very difficult question. And no matter how you try to evade it, it sits there and it's going to affect you. And home equity is not going to cure that problem until...until we do take measures to address this problem as it ought to be addressed in fairness and in justice. This measure deserves a swift and sure death so that we can get on with the business of addressing the problem in the fashion that it ought to be addressed with dignity and concern for all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there is no further discussion and before Senator Lechowicz is called upon to close, the Chair is prepared to issue a ruling requested by Senator Jones regarding the amount of votes. Senate Bill 1592 as amended will take a simple majority of thirty votes to pass. By its term, Senate Bill 1592 does not deny or limit home rule authority but rather establishes a complete and comprehensive legislative scheme for home equity insurance. Under House Amendment No. 1, the bill now specifically provides that the establishment of a home equity plan within municipalities of over one mil-

lion is an exclusive state function. Therefore, under Article VII, Section 6H...of the Illinois Constitution of 1970, Senate Bill 1592 will require only thirty votes to pass. Now, Senator Lechowicz, your...you're called on to close. For what purpose does Senator Jones arise?

SENATOR JONES:

...in view of the fact, Mr. President, that you read that statement so eloquently, which tells me that they probably sent that over from the House, I...I feel compelled to appeal the ruling of the Chair because that is not the way it should be.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, I would take exception to our Parliamentarian's hard work in...in researching this, but if...if you do appeal the ruling of the Chair, the question is, shall the ruling of the Chair be sustained. All those in favor of sustaining the ruling of the Chair will vote Aye. Those opposed will vote Nay. The voting is...the voting is open. On that question, there are 50 Yeas and...take the record, Mr. Secretary. On that question, there are 50 Yeas, 7 Nays, none voting Present. Having received the necessary three-fifths vote...having failed...I'm sorry, having failed to receive the necessary three-fifths negative vote, the appeal fails and the ruling of the Chair is sustained. Now, Senator Lechowicz to close.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Each one of us represents a district of approximately two hundred thousand people. Each one of us is charged with the responsibility in a leadership position in explaining the facts and the figures which we consider is best, not only for the two hundred thousand people that we represent but for the people that reside in this great state. As the President of the Senate pointed out, home equity is

not a new issue. Home equity is an issue that was passed by the Village of Oak Park with the understanding to promote racial harmony within that village. The issue was discussed and looked upon with the respective neighbors in the City of Chicago. The people of the respective neighborhoods by referendum had an advisory vote last April which included white precincts, black precincts, Hispanic precincts, mixed precincts of every ethnic origin that exists on the face of the earth. In the black precincts on the northwest side, it was carried eighteen to one, better than some of the white precincts on the northwest side. Leadership, it took the time and the effort of the people from the northwest federation and from the southwest federation, from the political organizations to explain it door by door of what's involved. And what's involved is...a protection of the white, black, Hispanic, Asian, no matter what race or creed lives in a building so panic peddling does not exist. People have been moved once or twice and have taken a substantial loss in their properties. In the City of Chicago since 1960, two hundred and fifty thousand families have left. With their families they have left business and corporations. If you want to provide leadership, you provide a stabilized community and that's exactly what home equity is about, stabilizing a community and making sure that the people who live there have an understanding that their property is protected, their welfare is protected and they can do it by their own volition, by referendum where they tax themselves in order to provide an insurance program that they want to wish to participate in. Ten years the people have pleaded with the elected officials, ten years this...supposed to be before the city council, ten years of public hearings, ten years of...of...distrust of elected officials because of inaction. Well, I attended a meeting at Saint Stanislaus B and M Parish and I also instructed the members of the finance committee

who are in that parish the importance of the issue and I told them that this is a nonnegotiable item and if they wouldn't do it, we would address it here in this Chamber. This Chamber voted overwhelmingly just a month ago on this issue and...it deserves your support again. I ask that we concur in the three House amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendments No. 1, 15 and 17 to Senate Bill 1592. 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 Yeas are 42, the Nays are 13, 3 voting Present. The Senate does concur in House Amendments No. 1, 15 and 17 to Senate Bill 1592 and the bill having received the required constitutional majority is declared passed. Senate Bill 1616, Senator Welch. Senator Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR NEWHOUSE:

Mr. President, we have just passed a bill, and down here you lose some and you win some and I understand that. But I'd like to get a roll call on this bill because next year we're coming right back here with a bill that really goes to the heart of the problem and that is the question of whether or not young people in Chicago will be able to build and repair in that city. And I'd like to compare these roll calls when that bill comes up next year. If you're at all serious about addressing the real problem, you'll get that opportunity again next year and the year after. Thank you, Mr. President. I think that we...when we...when we...when we

*SB 1616
concurance*

start out on a road to really solve a problem and to assuage the fears of people like those in the gallery who have legitimate concerns, then we really ought to address them and I intend to do just that. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary, make sure that Senator Newhouse has a copy of the roll call. Senate Bill 1616, Senator Welch. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Amendment No. 1 to Senate Bill 1616.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I'm moving to concur with House Amendment No. 1 to Senate Bill 1616. House Amendment No. 1 becomes the bill by deleting everything after the enacting clause. What the amendment does is create the Solid Waste Planning and Recycling Act requiring every county with a population of one hundred thousand people or more and each municipality with a population of one million or more to submit an officially adopted solid waste management plan by March 1 of 1991. The plan will require that...the bill requires that the plan contain a recycling program, it authorizes Energy and Natural Resources to make a systems grant for recycling projects, prohibits landfills from accepting leaves unless there's a separate composting facility and requires labeling of plastic containers for recycling purposes. The bill in particular initially had some objections from the City of Chicago, they have removed their objections to this specific bill. The...several other groups who objected have now removed their objections, I don't know that anyone is in opposition to this bill. The bill requires a recycling component in every solid waste management plan which shall be designed to recycle by the end of the third

and fifth year of the program respectively fifteen percent and twenty-five percent of the municipal waste generated in the county. Requires separate composting, requires public education and notification and also provides for grants limiting to fifty percent of the project cost but not to exceed fifty percent...fifty thousand dollars per project. It limits the number of pilot projects for recycling to twenty-five throughout the state and requires that the cities have twenty thousand people or more to receive a recycling grant for curbside recycling. Civil penalties for violations of not more than five thousand dollars per violation are also established. The fines are to be deposited in the Solid Waste Management Fund. The funding source is the Solid Waste Management Fund and the money in this fund is derived from a state surcharge and garbage disposed of in landfills and this particular bill is designed to discourage garbage being disposed of in landfills. I would be glad to try to answer any questions at this time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Senator, I'd had correspondence from the City of Peoria and...and others in opposition to this bill primarily because it was affecting only certain counties and not others, was purporting to be a state plan, set out some mandates, some percentage mandates and so forth. Are you telling me that...that the cities in general...have you heard from Peoria, the Municipal League, are they no longer in opposition to this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

I've heard of no opposition, Senator Hawkinson. I would say that there is a component that provides recycling grants

to cities over twenty thousand and grants to counties as well for preparing their management plans and the money is basically money that is going to be collected anyway. So, I...I don't see that there should be a great deal of opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson.

SENATOR HAWKINSON:

Is...is there seed money to cover the cost of implementation as well as planning? Or is this only seed money for planning?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, right now we have money in the Solid Waste Fund. The problem is it's basically impounded because of the law being declared unconstitutional. We're trying to find a way, in fact, we had a meeting this morning, to free up that money to make the money available for planning and implementation both.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson.

SENATOR HAWKINSON:

Are there still three material mandates on composting of fifteen percent and twenty-five percent in this bill that will apply only to seventeen counties in Illinois?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

That...that's true but the...the mandates don't kick in for three years and five years; fifteen percent in three years is to be recycled, twenty-five percent in five years is to be recycled.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson.

SENATOR HAWKINSON:

Why are we only affecting seventeen counties if this is a state management plan and why aren't we making this a state-wide plan?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, basically, the reason is that recycling doesn't work well in towns under twenty thousand people and we also are doing this because these particular areas when you combine them have remaining average landfill capacity of only five and a half years according to the department. So, since these are the counties most in need of changing the way they dispose of their trash, these are the seventeen counties that were selected.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson.

SENATOR HAWKINSON:

If that's the case, then what we're encouraging is county planning for those seventeen counties because of the...the drying up of landfill space. Why are we mandating the...the percentages which seems to me to be a state plan rather than a county plan?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, basically for guidance as to what's in their plan. What happens if the counties are advised to draw up a plan and they say, well, our plan is to dump everything in the landfill, thank you, very much. So, that's why we have to give them some guidance and it's the carrot and stick approach, we're going to give them money to, number one, encourage them to have curbside recycling programs and, number two, to draw up the plans and implement those plans.

So, it's a...it's a combination of trying to get them to draw plans as well as fund them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson.

SENATOR HAWKINSON:

One final question then, if...and it relates back to one of my earlier questions. If we're going to put these mandates in there, do you envision that this money and the fund will be used to cover the cost of implementing the plan as well as the cost of doing the planning?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well...well, that's what the grant...the grants are going to be from is a fund of fourteen thousand dollars. So, yes, the answer would be,...it's fourteen million dollars, excuse me. The money will be used both for planning and implementation; however, there has to be a local component as well of at least a fifty percent matching grant.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Senator Welch, you know, I'm very sympathetic and I understand what we're trying to do here but these are...these are significant mandates and I guess the only county that would be affected would be Cook County, is that correct, as a unit of government?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, it...it applies to all counties over one hundred thousand and a city over one million which can have it's own plans, but every city over twenty thousand can apply for a...a recycling grant.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Because of...of...I think substantial mandates in...in this bill, have we asked for a ruling or...or I will ask, if that hasn't already been asked, whether or not this preempts home rule?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we'll take your request and have our Parliamentary check that out in a few minutes. In the meantime, we'll move on to Senator Geo-Karis then. Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR GEO-KARIS:

Is it your contention, Senator, that the state is not doing enough about diminishing the disposal capacity of municipal waste?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, I have...a conflict of interest, as you know, 'cause I'm also a mayor. And I'd like to state for the record that I'm not going to say it again, I...when I do have a conflict of interest, I'll vote my conscience so I don't have to keep repeating it in any other future bills. Does this...this, I take it, applies to Lake County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Yes, Senator, it does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Then what you're asking then, if I...I just want to make sure I know what I'm talking about here. What you're asking that the counties of...with a population of over a hundred thousand, municipalities with a population of over a million people must submit a plan for the management of municipal waste generated within their boundaries by March 1, 1991, and that the Illinois EPA will review and make recommendations and then the county must consider the recommendations and adopt the plan by September 1, 1991?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

That is correct, Senator.

SENATOR GEO-KARIS:

You're asking that each county that adopts the waste management plan also include a recycling plan, is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, I don't see anything wrong with this bill. I think maybe we need a good cleanup, and I know...my county would be in favor of it. So I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ROCK:

Section 4, I...I've heard Senator Hawkinson made reference to seventeen counties. Can you tell me how many counties this affects?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Senator, it affects seventeen counties in the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Does yours happen to be one of them?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Yes, sir, it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

And...and what we are saying to these seventeen counties is, you have to have a plan by when?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

They're to have a plan by March 1 of 1991.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock. Senator DeAngelis, for what purpose do you arise? Senator DeAngelis.

SENATOR DeANGELIS:

No, I'm...I'm...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh. Is there further discussion? If not, before we close, on Senator Macdonald's request on the...ruling that this bill provides a comprehensive standard statewide and in so doing does not affect home rule units. It is a statewide plan, it does not involve in any way destruction of local authority. Senator Welch may close.

SENATOR WELCH:

Mr. President, I would just say that this is something that we should be doing to make sure that we take care of the landfill problem. We have all been inundated with letters from mayors and other constituents complaining that we have to do something about the landfill crisis. This bill will do something by encouraging recycling which is within our power at this time. I think that we can get a handle on disposing of our waste problem before it becomes a major crisis. This bill by making grants available to cities throughout this state will be able to help small communities as well as large ones and, hopefully, as time goes on, we could include even smaller communities in this recycling until everybody in the state is on a recycling program. I would move for an affirmative vote, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall the Senate...concur in House Amendment No. 1 to Senate Bill 1616. 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 46, the Nays are 9, 3 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1616 and the bill having received the required constitutional majority is declared passed. Senate Bill 1626, Senator D'Arco. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Amendments 2 and 3 to Senate Bill 1626.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. House Amendment 2 is the...important amendment, 3 is the technical amendment. When we had our debate on the IRAP plan before, the utilities at that time wanted an amendment that said that once the Exxon money runs out that the program would be terminated and they would no longer be responsible for providing any monies into the program. Well, at that time we objected to it, but the House put this amendment on, Amendment No. 2, which specifically says that, that the program will terminate once the Exxon money runs out. If anyone has any questions, I'd be more than happy to answer them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the...the question is, shall the Senate concur in House Amendments No. 2 and 3 to Senate Bill 1626. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 2 and 3 to Senate Bill 1626 and the bill having received the required constitutional majority is declared passed. Senate Bill 1689, Senator Rock. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Amendments 1 and 2 to Senate Bill 1689.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I wish to concur in House Amendment No. 2 and to

nonconcur in House Amendment No. 1. Amendment No. 2 added the eight million dollar operational grant to the Math-Science Academy. You will recall that we passed a bill that said that their budget...the Math-Science Academy budget ought to be put with the Board of Higher Ed. as opposed to Elementary and Secondary. Wasn't supposed to be done till next fiscal year, the House in its wisdom or lack thereof, did it this year, mox nix. So, Amendment No. 2 is fine. Amendment No. 1 deleted the effective date for obvious reasons so that it would go to conference. I suggest that we would...and ask that we would concur in Amendment No. 2, nonconcur in Amendment No. 1 and send it back and let them recede.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is,...discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Yes, will the sponsor yield, Mr. President?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ETHEREDGE:

...Senator, my understanding is that Amendment No. 2 also added back the effective date which was deleted by Number 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ETHEREDGE:

So...so by...

SENATOR ROCK:

Well...

SENATOR ETHEREDGE:

...concurring in both, it's final action.

SENATOR ROCK:

Well, technically, I don't think it's correct and I may be too much of a purist. I've spoken with the House sponsor, I spoke with Mr. Wagner. The fact is, the House doesn't

always get done what they intend to do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1689. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 1689. On House Amendment No. 1 to Senate Bill 1689. The...Senator Rock moves to nonconcur in House Amendment No. 1 to Senate Bill 1689. Those in favor will signify by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1719, Senator Karpziel. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Amendments 1 and 2 to Senate Bill 1719.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. I move to nonconcur in House Amendments No. 1 and 2 to Senate Bill 1719.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel moves to nonconcur in House Amendments No. 1 and 2 to Senate Bill 1719. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House.

PRESIDENT:

(Machine cutoff)...Fawell, 1752. On the Order of Secretary's Desk Concurrence is Senate Bill 1752, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Amendment No. 1 to Senate Bill 1752.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Senate Bill 1752 is...I haven't got...I haven't got...what...it's the guardian and advocacy bill. They have added another eighty-four thousand dollars with the House amendment. I think we've gotten cleared up the problem that we had yesterday with this bill. Basically what they are trying to do is move three offices so that they will be accessible for those who are...the clients of this commission. They have also agreed that if the money isn't completely used for moving these three that they will lapse the money. And I will be happy to answer any questions but I do concur.

PRESIDENT:

Discussion? Senator Topinka.

SENATOR TOPINKA:

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

PRESIDENT:

Indicates she'll yield, Senator Topinka.

SENATOR TOPINKA:

Yes, you made mention that the problem that we had with this bill yesterday in terms of moving space which apparently was...we were not paying anything for a...space that we would be paying something toward. How did that get worked out? You said it was worked out, how did it get to that point?

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

The three...the three that we're talking about is in Alton, Tinley Park and Elgin. They are all on the second floor. They are all...none of them have ramps and none of them have elevators. We have double-checked to make sure that this is true, it is true and so they are in the process now working with the Central Management Service in finding new locations that will be accessible.

AB1771
concurrance

PRESIDENT:

Question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1752. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1752 and the bill having received the required constitutional majority is declared passed. 1771, Senator Berman. On the Order of Secretary's Desk Concurrence is Senate Bill 1771, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Amendments 1 and 3 to Senate Bill 1771.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1771 is the bill that allows for the purchase of additional land in...under Lake Michigan by Loyola University for its lakeshore campus to extend the campus and to provide for the walkway and the public areas that we debated when the bill was before us. The House has added two amendments which make minor improvements to the bill. The first amendment allows that...provides that if there is any...significant erosion or damage to the lakeshore line that the state is not liable for such. And the third amendment which was adopted provides that the riparian rights go to the state but that there is also a covenant that there will be no building...further building out in the lake on the property which adjoins the Loyola property. Again, this is an overall improvement and it's an improvement on behalf of the community as well. I solicit your Aye vote.

PRESIDENT:

All right. Discussion? The gentleman has moved concur-

rence in the House amendments. Any discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 3 to Senate Bill 1771. Those in favor will vote Aye. Opposed vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 3 Nays, 2 voting Present. The Senate does concur with House Amendments 1 and 3 to Senate Bill 1771 and the bill having received the required constitutional majority is declared passed. 1806, Senator Zito. On the Order of Secretary's Desk Concurrence is Senate Bill 1806, Madam Secretary.

SECRETARY:

House Amendments 1 and 2 to Senate Bill 1806.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members. I would move to concur in House Amendments No. 1 and 2 to Senate Bill 1806. If you will recall, when we passed Senate Bill 1806 we added a member of the commuter rail division of the Regional Transportation Authority to the Northeastern Illinois Metropolitan Area Planning Commission which would have raised that membership from thirty to thirty-one. In House Amendment No. 1, we deleted the original provisions and made some technical changes. And then in House Amendment No. 2, we picked up all the language that was originally in 1806; in addition to that we also added a member of the suburban bus division to the commission. I know of no opposition. I would move for concurrence in House Amendments No. 1 and 2.

PRESIDENT:

All right. The gentleman has moved concurrence. Any discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1806. Those in favor will vote Aye. Opposed vote Nay. The voting is open.

*SB 1839
Concurrence
SB 1840
nonconcur*

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 1806 and the bill having received the required constitutional majority is declared passed. Top of page 8, Senate Bill 1839, Senator Berman. On the Order of Secretary's Desk Concurrence is Senate Bill 1839, Madam Secretary.

SECRETARY:

House Amendment No. 4 to Senate Bill 1839.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move to nonconcur in House Amendment No. 4 to Senate Bill...1839.

PRESIDENT:

Senator Berman has moved to nonconcur in House Amendment No. 4 to Senate Bill 1839. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. On the Order of Secretary's Desk Concurrence is Senate Bill 1840, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 1840.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move we that we nonconcur in House Amendment No. 1 to Senate Bill 1840.

PRESIDENT:

All right. Senator Berman has moved to nonconcur with House Amendment No. 1 to Senate Bill 1840. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so

*SB 1860
nonconcurrance
SB 1870
concurrance*

inform the House. 1860, Senator Welch. On the Order of Secretary's Desk Concurrence is Senate Bill 1860, Madam Secretary.

SECRETARY:

House Amendment No. 6 to Senate Bill 1860.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Mr. President, I would move to nonconcur in House Amendment No. 6 to Senate Bill 1860.

PRESIDENT:

All right. Senator Welch has moved to nonconcur with House Amendment No. 6 to Senate Bill 1860. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1870, Senator Barkhausen. On the Order of Secretary's Desk Concurrence, top of page 8, is Senate Bill 1870, Madam Secretary.

SECRETARY:

House Amendments 4 and 5 to Senate Bill 1870.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 1870 is...as amended includes one of the two provisions, and there are two bills that we're looking at at this point, this one and House Bill 1576, dealing with the collision damage waiver issue for car rental companies. We're not certain that we have the provisions in this bill entirely as we'd like and we're going to be working on a conference committee on House Bill 1576 that we think will iron out any remaining problems. But we think it's important at this time to concur in the House amendment and send this bill out on a posture that we can...perfect these provisions with a...what would be called

a trailer bill that we will hope to pass on a conference committee in the next couple of days. I'd be happy to answer any questions and would otherwise ask for a concurrence with the amendment.

PRESIDENT:

All right. The gentleman has moved concurrence with House Amendments 4 and 5. Any discussion? If not, the question is, shall the Senate concur in House Amendments 4 and 5 to Senate Bill 1870. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 2 Nays, 1 voting Present. The Senate does concur with House Amendments 3...4 and 5 to Senate Bill 1870 and the bill having received the required constitutional majority is declared passed. 1893, Senator Zito. 1954, Senator Davidson. On the Order of Secretary's Desk Concurrence, middle of page 8, is Senate Bill 1954, Madam Secretary.

SECRETARY:

House Amendments 1, 2, 3 and 4 to Senate Bill 1954.

PRESIDENT:

Senator Davidson. (Machine cutoff)...may happen, Doc, there's a message there. Senator Davidson.

SENATOR DAVIDSON:

Thank you. Mr. President and members of the Senate, I move we concur in Amendment 1, 2 and 3 and 4 to Senate Bill 1954. House Amendment No. 1 specifies income received from advertising for state park brochures must be in a state park fund. Number 2 allows Department of Conservation to establish Office of Conservation Resource Marketing. Number three restores the advisory committee of eleven persons to DCCA and has support of DCCA and the General Assembly for the promotion to the Illinois Tourism Promotion Fund. Number four is...allows the General Assembly member the option of paying

a district office utility bill split at the end of the year...end of a fiscal year in either June or July. Currently the bill must be split between the month and this requires the use of two vouchers, et cetera. This was administrative convenience for Senate Operations. I move we concur.

PRESIDENT:

All right. The gentleman has moved concurrence with House Amendments 1, 2, 3 and 4. Is there any discussion? If not, the question is, shall the Senate concur in House Amendments 1, 2, 3 and 4 to Senate Bill 1954. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with House Amendments 1, 2, 3 and 4 to Senate Bill 1954 and the bill having received the required constitutional majority is declared passed. 1959, Senator Rigney. On the Order of Secretary's Desk Concurrence is Senate Bill 1959, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 1959.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Mr. President, I'd move that we concur in the simple House amendment to Senate Bill 1959. What you may recall is that this amends the motor fuel law and the Retailer's Occupation Tax Act and to provide similar penalties for offenses under these two Acts. Apparently there was one grammatical error, the word "either" was left out and it just simply reinstates that word, it's nothing more than a grammatical correction.

PRESIDENT:

All right. The gentleman has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 1959. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 1959 and the bill having received the required constitutional majority is declared passed. 1960, Senator Rigney. On the Order of Secretary's Desk Concurrence is Senate Bill 1960, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 1960.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Mr. President...again move to concur in the House amendment. All it did is to change the effective date from...upon becoming law to January 1st of 1989.

PRESIDENT:

All right. The gentleman has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 1960. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 1960 and the bill having received the required constitutional majority is declared passed. Senator Newhouse, for what purpose do you seek recognition, sir?

SENATOR NEWHOUSE:

Thank you, Mr. President. On Senate Bill 1771, I was

inadvertently recorded Yes on that bill, it won't...will not change the results, I'd like unanimous consent to have that vote changed, please.

PRESIDENT:

All right. Without objection, the record will so reflect. Senator Dunn, 1989. On the Order of Secretary's Desk Concurrence is Senate Bill...1989, Madam Secretary.

SECRETARY:

House bill...pardon me, House Amendment No. 2 to Senate Bill 1989.

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. This amendment creates home invasion affirmative defense in that if the individual leaves the residence or surrenders immediately, he may use that as an affirmative defense. I urge an Aye vote to concur.

PRESIDENT:

All right. The gentleman has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1989. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 1989 and the bill having received the required constitutional majority is declared passed. 2022, Senator Etheredge. On the Order of Secretary's Desk Concurrence is Senate Bill 2022, Madam Secretary.

SECRETARY:

House Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 15 and 16 to Senate Bill 2022.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the CDB new appropriations bill and I move to concur with House Amendments 1 through 11 and also 13, 15 and 16. The thrust of these amendments is to add an additional sixteen million dollars non-GRF into the...into this bill. I'd be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Etheredge has moved concurrence. Is there discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I wonder if the gentleman would be kind enough to move to nonconcur. CDB new appropriations is something that is of great interest to all the members and I think this one is better off in a conference committee. I don't think we should just take what the House gave us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right. Senator...Senator Etheredge.

SENATOR ETHEREDGE:

Well, I think that this bill looks as good as it's ever going to look. I don't see any reason to...to nonconcur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

...trust me, we'll make it look better.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, once again, I...I've looked at this very carefully, I don't see how we can make it look any better than it...than it looks at the present time. I...I would like to move to

concur and get it to the Governor's Desk.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. Senator Etheredge, I have no idea what these House amendments are for, adding the sixteen million dollars. And just for clarification, if you'd be kind enough to just share that with us, I'd appreciate it very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

I would...be very happy to do that. There is a...addition, as I indicate, of...of about thirteen million dollars. And as I look down the list, I see that a number of these projects are down in your general neighborhood, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...discussion? If not, the question is,...shall the Senate concur with House Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 15 and 16 to Senate Bill 2022. Those in favor will vote Aye. Those opposed Nay. The voting is open. (Machine cutoff)...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 29, 1 voting Present. The motion fails and the Secretary shall so inform the House. 2027, Senator...Holmberg. 2027, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 2027.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I move to concur with House Amendment No. 1 to Senate Bill 2027. It basically adds

provisions establishing a basis for transfer of tenure when a high school is either deactivated or reactivated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator...Kustra.

SENATOR KUSTRA:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield, Senator Kustra.

SENATOR KUSTRA:

Senator Holmberg, maybe you can help me better understand what you're trying to do here. Let's say that a high school is deactivated and the teachers then, under the terms of your bill here, have the opportunity to go to another district. I suppose it's possible in a situation like that, if there are one too many English...English teachers which then wind up at the...the old high school, the one the teachers are being transferred to, then the seniority principle operates and the youngest teacher, the teacher with the least seniority who has been teaching at the old high school gets bumped in favor of the teacher who has been transferred from the deactivated high school. Is that correct? Is that the way you see the effects of your bill operating?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

It would basically operate on the position of seniority much as we have in the past with tenured positions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

I...I assume that to be an answer of yes, and if that's the case, I suggest to you that what you are doing by the provisions of your bill is pitting the teachers of one high school district who are unfortunate enough to find themselves

in a position where their...their school has been deactivated, you're pitting them against the teachers in another district. And, you know, I...I gather from what I have been told that this is supposed to be a pro-teacher bill, but I don't know how pro-teacher it can be, it's only pro a small group of teachers who are in one district and it's anti, it is against the teachers who are teaching and who have been employed at an existing high school. And I do not understand for the life of me why you would want to do this to teachers. It's a bad concept, a bad bill, we ought to knock it out of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. Senator Holmberg, I...I really am disappointed in this amendment and let me tell you why. I was the original sponsor of...of high school deactivation. It was an issue that was around this Chamber, around this...this city for two or three years before we finally got it passed, but we finally convinced people and...and everyone concluded that this was a way to possibly in an orderly way allow school districts to begin to consider school district reorganization and consolidation. I agreed at that time to put a five-year limit on the time period that a high school could be in a deactivated position and that was an agreement with the IEA. And if...to further that agreement, we said that it would not...we would not deal with it the same way we do with the seniority list in consolidation. Because what happens...what happens, if you do, in fact, if teachers then with this new...with this new deactivation, as Senator Kustra has suggested, and then in two years or three years you choose to go back into the original...into the original high school, you have rified teachers and you've created some very serious

problems. This was an agreement that we had. High school deactivation is alive, well and working. This is something we ought not be doing in this Chamber, we're simply screwing up the process. And I'm extremely disappointed in the IEA for bringing this about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield, Senator Brookins.

SENATOR BROOKINS:

Let me see if I understand this right. If a school is deactivated in Decatur, then the...the teachers in Decatur can bump teachers in...in Springfield. Is that the way this will work?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

If a school district is deactivated, then proportionate to the number of students that are being transferred into another school district there could be accompanying teachers for that number of students. Say, if there were three classrooms of students, three teachers based on seniority who could be added into that situation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Let's just make it kind of simple, if you will, Senator. If an adjacent district is deactivated, school district, then those students will go to a school into...another district. And you're saying that the teachers in the deactivated district can go over and bump teachers in the adjacent district, is that correct?

*J.B. 2185
Concurrence*

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Well, you're...you're really adding additional teachers to cover the number of students who are coming in, you're not depleting the number of teachers in that districts. The ones that will be going with will be the ones with the highest seniority. Mr. President, I wonder if we could take this bill out of the record and get back to it in a little while when there are more members on the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator requests that House Bill...I'm sorry, Senate Bill 2027 be taken out of the record. Take it out of the record. Page 9, 2052, Senator Jones. Senator Emil Jones on the Floor? 2079, Senator Dunn. All right. On page 9, Secretary's Desk Concurrence, Senate Bill 2079.

SECRETARY:

House Amendment No. 1 to Senate Bill 2079.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President. I move to nonconcur and ask that this be sent back.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dunn has moved to nonconcur with House Amendment 1 to Senate Bill 2079. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2141, Senator Jones. 2152, Senator Karpel. 2185, Senator Berman. Senate Bill 2185, Madam Secretary.

SECRETARY:

House Amendments 2 and 3 to Senate Bill 2185.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that we nonconcur in House Amendments 2 and 3 to Senate Bill 2185.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman moves that...to nonconcur in House Amendments 2 and 3 to Senate Bill 2185. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. 2201, Senator Maitland. All right. Senate Bill 2201, Madam Secretary.

SECRETARY:

House Amendments 1, 2 and 3 to Senate Bill 2201.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. I move that the Senate do concur in House Amendments to Senate Bill 2201.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Is there discussion? If not, the question is, shall the Senate concur with House Amendments 1, 2 and 3 to Senate Bill 2201. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendments 1, 2 and 3 to Senate Bill 2201 and the bill having received the required constitutional majority is declared passed. Senate Joint Resolution 83, Madam Secretary.

SECRETARY:

(Machine cutoff)...Amendments 1 and 2 to Senate Joint Resolution 83.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate concur in House Amendments No. 1 and 2 to SJR 83. Amendment No. 1 deletes any reference to probationers and Amendment No. 2 extends the reporting date from 12-1-88 to 12-1-89. I would ask for concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? All right. If not, the question is, shall the Senate concur with House Amendments 1 and 2 to Senate Joint Resolution 83. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Joint Resolution 83 and the resolution is declared passed. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, sir. State your point.

SENATOR MAITLAND:

Mr. President, in the gallery on...on really the wrong side of the Chamber today is a group of ladies from the McLean County Republican Women's Club and I'd like for them to stand and be recognized by the Body. And with them is the president, Representative Gordon Ropp's wife, Roberta Ropp. Would the ladies please stand and be recognized?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Ladies, welcome to Springfield. We are always delighted to see the guests on the right side of the Chamber. Senator

*NB 253
Nonconcurrency
NB 589
Refuse to Recede*

Brookins, for what purpose do you arise?

SENATOR BROOKINS:

If my good friend Representative Gordie Ropp's wife is there, then I know they're on the right side of the Chamber and we're about to switch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. If you'll get out your supplemental Calendar, Supplemental No. 1...Secretary's Desk Nonconcurrency is House Bill 253, Senator Jones. Madam Secretary.

SECRETARY:

Senate Amendments 2 and 3 to House Bill 2253.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I move that the Senate refuse to recede from...from Senate Amendments 2 and 3 to House Bill 253 and ask for a conference committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones has moved that the Senate refuse to recede from the adoption of Amendments 2 and 3 to House Bill 253 and that a conference committee be appointed. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 589, Senator Luft. (Machine cutoff)...Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 589.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would refuse to recede from House Amendments 1 and 2 and ask for a conference committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft has moved that the Senate refuse to recede

from the adoption of Amendments...Senate Amendments 1 and 2 to House Bill 589 and that a conference committee be appointed. All those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 849, Senator Savickas. 1576, Senator Barkhausen. House Bill 1576, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 1576.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I ask that the Senate refuse to recede from Senate...Amendment 1 and ask that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen has moved that the Senate refuse to recede from the adoption of Amendment No. 1...Senate Amendment No. 1 to House Bill 1576 and that a conference committee be appointed. All those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. House Bill 2993, Senator Zito. House Bill 2993, Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 2993.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Yes, Mr. President, I refuse to recede from Senate Amendment No. 1 and 2 to House Bill 2993 and ask for a conference committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito has moved that the Senate refuse to recede from the adoption of...Senate...Senate Amendments 1 and 2 to

House Bill 2993 and that a conference committee be appointed. All those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. House Bill 3007, Madam Secretary.

SECRETARY:

Senate Amendment No. 2 to House Bill 3007.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. I move the House refuse to recede in Senate Amendment No. 2 and respectfully request a conference committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 2 to House Bill 3007 and that a conference committee be appointed. All those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. House Bill 3216, Senator Berman. 3264, Senator Berman. Page 3. House Bill 3297, Senator Luft. Top of page 3, Secretary's Desk Nonconcurrency, House Bill 3297, Madam Secretary.

SECRETARY:

Senate Amendments 1, 2 and 3 to House Bill 3297.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President, there's two things I'd like to do with this bill. First of all, I would move to nonconcur in House Amendments 1, 2 and 3 and ask for a conference committee...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate amendments.

SENATOR LUFT:

Senate...amendments, I'm sorry. Secondly, I would like to replace myself as the prime sponsor of this piece of legislation with Senator Jacobs' name, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Luft,...you're...you're moving to recede from the adoption of Senate amendments...all right...Senator...Senator Luft moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 to House Bill 3297 and that a conference committee be appointed. Those in favor will indicate by...Senator Hudson, on this motion? Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Luft now wishes to remove himself as the sponsor of House Bill 3297 and asked that Senator Jacobs be named as the...as the new principal sponsor. Is leave granted? Leave is granted. So ordered. Senator Hudson, for what purpose do you arise?

END OF REEL

REEL #3

SENATOR HUDSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point, sir.

SENATOR HUDSON:

In the President's Gallery, just above where you're sitting, we have Mr. and Mrs. Earl Miller who have come all the way down from Downers Grove, Illinois, and my constituents, to see the Senate in action this afternoon. Would you welcome them?

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our...guests will rise, please. Before we get too far away, on page 2, Senator Berman is now on the Floor. Let's return to page 2 of your Calendar and pick up 3216, Senator Berman. House Bill 3216, Madam Secretary, on page 2.

SECRETARY:

Senate Amendments 2 and...pardon me, 1 and 2 to House Bill 3216.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that we refuse to recede from Senate Amendments 1 and 2 to House Bill 3216 and that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 3216 and that a conference committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the

*AD 3425
Refuse to Recede*

House. House Bill 3264, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 3264.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that we refuse to recede from Senate Amendment No. 1 to House Bill 3264 and that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 3264. Those in favor...those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. Now, let's turn to...page 3 now...page 3 again. 3425, House Bill, Madam Secretary.

SECRETARY:

Senate Amendment No. 2 to House Bill 3425.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I move that we...refuse to recede from Senate Amendment No. 2 to House Bill 3425 and send the bill to conference committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Macdonald has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 2 to House Bill 3425. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. (Machine cutoff)...Bill 3444, Madam Secretary.

SECRETARY:

Senate Amendments 1 and 3 to House Bill 3444.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

I move that the Senate not recede from Senate Amendments 1 and 3 to House Bill 3444 and ask that there be a conference committee appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 3 to House Bill 3444. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 3570, Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 3570.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman and Ladies and Gentlemen of the Senate. On House Bill 3570, I refuse to recede from the amendments and I request a conference committee, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith has...moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 3570 and that a conference committee be appointed. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. House Bill 3592, Madam Secretary.

SECRETARY:

Senate Amendment No. 2 to House Bill 3592.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn...Thomas Dunn.

SENATOR THOMAS DUNN:

Thank you, Mr. President. I move to recede.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn has...(machine cutoff)...to the membership that this is final passage then. Senator Dunn has...has moved to recede from the adoption of Senate Amendment No. 2. Is there discussion? The question is, shall the Senate recede from Senate Amendment No. 2 to House Bill 3592. 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 43, the Nays are 7, 2 voting Present. The Senate recedes from the...from...from Senate Amendment No. 2 to House Bill 3592 and the bill having received the required constitutional majority is declared passed. House Bill 3615, Senator Degnan. 3683, Senator Welch. House Bill 3683, Madam Secretary.

SECRETARY:

Senate Amendment No. 2 to House Bill 3683.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would move to recede from Amendment No. 2 to House Bill 3683. Amendment No. 2 created the Lake Calumet Environmental Enhancement Authority. This was basically Senator Jones' amendment. I've spoken with Senator Jones, he's advised me that he concurs in receding from this amendment. I'd be glad to answer any questions at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator...discussion? The question is then...I beg your pardon, Senator Brookins.

SENATOR BROOKINS:

Thank you. Question to the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Brookins.

SENATOR BROOKINS:

Yes, there was an amendment which I had in, is that...will that also take out that portion?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

(Machine cutoff)...Senator Brookins, this came back with only Senate Amendment No. 2 on it which was Senator Jones' amendment. I, off the top of my head, do not recall the Brookins amendment. The...the House...excuse me, the House concurred in the Brookins amendment so that is all right. We're just receding from the Jones amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, the question is,...all you have to do is turn your lights on. Senator...Senator Raica.

SENATOR RAICA:

You're too quick for us, I think. I have a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I have no place to go; I mean, I'm not in a hurry. Senator Raica.

SENATOR RAICA:

Senator Welch, question, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Raica.

SENATOR RAICA:

If we move to recede from this particular amendment, are we saying that we're going to get rid of the Lake Calumet proposal?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

What we are saying is we are eliminating the Lake Calumet Environmental Enhancement Authority provision from this piece

of legislation. Senator...Senator Raica, Representative Giglio has informed me that he has put a...an appropriation of a hundred thousand dollars into an Environmental Protection Agency appropriation bill that he felt would be utilized to begin to take care of this situation in Lake Calumet.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

Senator Welch, is this...has Senator Panayotovich and...and the other members of the...of that board have they...do they know about this, because we just spoke about this yesterday and we had very strong feelings regarding this and keeping this...this whole thing together. I mean, have you...I mean, this is for the record here, I mean, has...has Panayotovich, has he agreed to this with this authority being eliminated?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator, I haven't spoken with Representative Panayotovich, I have spoken with Representative Levin who is the chief sponsor. He wanted this to not go on the bill; in fact, he urged me not to put it on in the Senate and I put it on anyway. I'd also point out that we are looking...or Senator Jones is looking, rather, for a different vehicle to put this on. It's become a difficult provision to pass in the House for several reasons, the least of which is probably the merits of the provision itself.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

...Senator Welch, would you be willing to just take this out of the record for a few minutes until we discuss this, if you don't mind?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, I would yield my time to Senator Jones to respond to that, if that's all right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, thank you. Yeah, I talked with the sponsor of the bill and I was...just come from over in the House so...and I concur with the sponsor of the bill to go ahead and recede. We'll find another vehicle for it because there are some problems over in the House. As you know, I was the original sponsor of the original bill and so it's okay that he recedes from it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

You know, I...you know, this is pretty important to the people on the southside. I mean, we're looking at a faster turnaround time for...for different things coming before this board. I would hate to sit here and...and...and make a...a snap decision without first consulting and find out if...if other members have...have agreed to this. Is there a problem with taking this out of the record for a few minutes...and he can bring it right back? I mean, five minutes, is all right or...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I'd be willing to do that if we have leave of the Chair to come back to the bill, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, certainly have leave to get back to the bill.

*HB 3810
Refuse to Recede*

(Machine cutoff)...Bill 3739, Senator Degnan. House Bill 3739? Madam Secretary.

SECRETARY:

Senate Amendments 1, 2 and 3 to House Bill 3739.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Degnan.

SENATOR DEGNAN:

I move we refuse to recede, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 to House Bill 3739 and that a conference committee be appointed. All of those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. House Bill 3810, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 3810.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I would move that we refuse to recede from Senate Amendment No. 1 and would ask that a conference committee be...appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 3810 and that a conference committee be appointed. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. House Bill 3888, Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 3888.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I refuse to...recede from the amendment and I ask for a conference.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 and that...to House Bill 3888 and that a conference committee be established. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 3926, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 3926.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you. I ask the Senate to recede from House Amendment...or Senate Amendment No. 1. Senate Amendment...No. 1 amended the homestead provision of the Revenue Act to make them retroactive for a period of not more than three years. I did not realize that the sponsor over in the House had promised...the other side of the aisle that there would be no amendments on this and so I, therefore, ask the Senate to agree.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? So, Senator Fawell, your motion is to recede from...all right. The question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 3926. 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 3, none voting Present. The

*HB 4005
7/28/88*

Senate does...recedes from...from Senate Amendment No. 1 to House Bill 3926 and the bill having received the required constitutional majority is declared passed. House Bill 3946, Senator Philip. 3946. Madam Secretary.

SECRETARY:

Senate Amendment No. 2 to House Bill 3946.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...refuse to recede and ask for a conference committee to be appointed on House Bill 3946.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 2 to House Bill 3946 and that a conference committee be appointed. Discussion? If not, those in...those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. House Bill 4005, Madam Secretary.

SECRETARY:

Senate Amendments 1, 2 and 3 to House Bill 4005.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

I move...I move to recede...or refuse to recede, whatever the proper motion is, I want a conference committee. That's all, whatever it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Let's see if we can accommodate Senator Watson here. Senator Watson moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 to House Bill 4005 and that a conference committee be appointed. Is there discussion? If not, those in favor will indicate by

*HB H282
Refuse to Recede*

saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 4053, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 4053.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President and members of the Senate. I would move to recede from Senate Amendment No. 1 to House Bill 4053. Senate Amendment No. 1 was a minor technical correction. The House apparently did not feel that it was necessary and I would agree with the House's decision.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator...the...all right, the question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 4053. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? (Machine cutoff)...the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate recedes from Senate Amendment No. 1 to House Bill 4053 and the bill having received the required constitutional majority is declared passed. House Bill 4116. Senator Poshard on the Floor? (Machine cutoff)...4282, Senator Woodyard. House Bill 4282, Madam Secretary.

SECRETARY:

Senate Amendment No. 2 to House Bill 4282.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, members of the Senate. I would ask that the Senate refuse to recede from Senate Amendment No. 2 and that a conference committee be appointed.

*AB 3806
Refuse to Recede*

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Senator Woodyard has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 2 to House Bill 4282 and that a conference committee be appointed. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. Senator Poshard on the Floor? (Machine cutoff)...Poshard on House Bill 4116, Madam Secretary.

SECRETARY:

(Machine cutoff)...Amendments 1, 2 and 3 to House Bill 4116.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Mr. President, I refuse to recede from the amendments and ask that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 to House Bill 4116. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Now, if we'll go back to our regular Calendar...your regular Calendar on page 9...regular Calendar, page 9, Secretary's Desk Nonconcurrency. Page 9, Secretary's Desk Nonconcurrency. Senator Jacobs on House Bill 1072. House Bill 1560, Senator Karpel. 1560 on your regular Calendar, page 9...3806, Senator Jones. (Machine cutoff)...Jones. Well, I don't care either. House Bill 3846, Senator Carroll. Page 10, House Bill 3857, Senator Schaffer. House Bill 3914, Senator Savickas. Senator...Jones now indicates that he is prepared to move ahead. Page 9...page 9, Secretary's Desk Nonconcurrency is House Bill 3806. Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 3806.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. I move the Senate refuse to recede from House Amendment No...wait a minute,...Senate Amendment No. 1 and request a conference committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 3806 and that a conference committee be appointed. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. (Machine cutoff)...from the House.

SECRETARY:

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

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

House Bill 3448 with Senate Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Secretary's Desk. (Machine cutoff)...Jacobs, for what purpose do you arise?

SENATOR JACOBS:

I just want to know if we can go home now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No. (Machine cutoff)...Vadalabene.

SENATOR VADALABENE:

Yes, I have an important announcement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Can we have your attention, please. Senator Vadalabene.

SENATOR VADALABENE:

Yes, I just received...another supply of...Independence Day speeches. They've told me that this is going to be the last printing and so you can have two or three days to get here but just don't rush me. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The...the Chair would like to make an inquiry. I'd...I always wondered, after fourteen years, how long it takes you to write these speeches?

SENATOR VADALABENE:

Not very long.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 1267 offered by Senator Fawell.

Senate Resolution 1268 offered by Senator Kelly.

Senate Resolution 1269 offered by Senator Savickas.

They're all congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 1270 offered by Senators Keats and Davidson, it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar...Senate will be in order. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As always happens at the end of June, we are awaiting the paper flow between the Houses and a number of our members are already meeting on...on conference committees or what will be conference committees. My suggestion is that we

stand in recess until the hour of five o'clock for the purpose of receiving House Messages, and I will tell the membership there will be no more roll calls today. We will reconvene at ten o'clock tomorrow morning and, hopefully, deal with what is then on the Calendar, but I think in order to expedite the paper flow, we'll just stand in recess and we will reconvene, the Secretary and I and...and Senator Philip, at five o'clock, read in the House Messages and then we will adjourn till ten o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Senate will stand in recess. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and...Gentlemen of the Senate, there will be a Republican Caucus in Senator Philip's office at 9:00 a.m. tomorrow morning, 9:00 a.m. sharp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay...Republican Caucus, tomorrow morning,...9:00 a.m. in Senator Philip's office. Further announcements? All right. The Senate will stand in Recess for the...until five o'clock this evening for the purpose of receiving Messages from the House. That'll be the only transaction of business. The Senate will stand in recess till the hour of five this evening.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will please come to order. Messages from the House.

SECRETARY:

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

Mr. President - I'm directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill of

the following title, to-wit:

House Bill 3150 with Senate Amendments 1, 2 and 3.

I have like Messages on House Bill 3150 with Senate Amendments 1, 2 and 3.

House Bill 3162 with Senate Amendment 1.

House Bill 3199 with Senate Amendments 1 and 2.

House Bill 3203 with Senate Amendment 2.

House Bill 3204 with Senate Amendment 1.

House Bill 3205 with Senate Amendments 1 through 5.

House Bill 3227 with Senate Amendments 1, 2, 3 and 4.

House Bill 3228 with House Amendments...pardon me, Senate Amendments 1, 2 and 3.

House Bill 3231 with Senate Amendment 1.

House Bill 3233 with Senate Amendment 1.

House Bill 3237 with Senate Amendments 1, 2 and 3.

House Bill 3240 with Senate Amendment 1.

House Bill 3242 with Senate Amendment 1.

House Bill 3403 with House Amendments...pardon me, Senate Amendments 1, 2, 3 and 4.

House Bill 3464 with Senate Amendment 1.

House Bill 3548 with Senate Amendments 1, 2 and 3.

And House Bill...4228 with Senate Amendment 3.

PRESIDENT:

Secretary's Desk.

SECRETARY:

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

Mr. President - I'm directed to inform the Senate that the House of Representatives has refused to recede from their amendments 1, 2, 3, 4 and 6 to a bill of the following

title, to-wit:

Senate Bill 1532.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference to consist of five members from each House to consider the differences between the two Houses in regard to the amendments to the bill.

(Machine cutoff)...like Messages on Senate Bill 1532, 1563, 1615, 1690, 1692, 1693, 1694, 1695, 1696, 1734 and 2028.

PRESIDENT:

All right. Those eleven bills Senator Philip and myself will move that the Senate accede to the request of the House that a conference committee be appointed. Resolutions.

SECRETARY:

Senate Resolution 1271 offered by Senator Topinka, it is congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 1272 offered by Senator Luft, it is substantive.

PRESIDENT:

Executive. Further business to come before the Senate? If not, Senator Philip moves that the Senate stand adjourned till ten o'clock tomorrow morning...ten o'clock tomorrow morning.

DAILY TRANSCRIPTION OF DEBATE INDEX

JUNE 28, 1988

HB-0253 NON-CONCURRENCE	PAGE	78
HB-0589 NON-CONCURRENCE	PAGE	78
HB-1576 NON-CONCURRENCE	PAGE	79
HB-2993 NON-CONCURRENCE	PAGE	79
HB-3007 NON-CONCURRENCE	PAGE	80
HB-3216 NON-CONCURRENCE	PAGE	82
HB-3264 NON-CONCURRENCE	PAGE	83
HB-3297 NON-CONCURRENCE	PAGE	80
HB-3425 NON-CONCURRENCE	PAGE	83
HB-3444 NON-CONCURRENCE	PAGE	83
HB-3570 NON-CONCURRENCE	PAGE	84
HB-3592 NON-CONCURRENCE	PAGE	84
HB-3683 NON-CONCURRENCE	PAGE	85
HB-3683 OUT OF RECORD	PAGE	88
HB-3739 NON-CONCURRENCE	PAGE	89
HB-3806 NON-CONCURRENCE	PAGE	93
HB-3810 NON-CONCURRENCE	PAGE	89
HB-3888 NON-CONCURRENCE	PAGE	89
HB-3926 NON-CONCURRENCE	PAGE	90
HB-3946 NON-CONCURRENCE	PAGE	91
HB-4005 NON-CONCURRENCE	PAGE	91
HB-4053 NON-CONCURRENCE	PAGE	92
HB-4116 NON-CONCURRENCE	PAGE	93
HB-4282 NON-CONCURRENCE	PAGE	92
SB-0209 CONCURRENCE	PAGE	13
SB-0566 CONCURRENCE	PAGE	14
SB-1167 CONCURRENCE	PAGE	19
SB-1456 CONCURRENCE	PAGE	20
SB-1558 CONCURRENCE	PAGE	23
SB-1592 CONCURRENCE	PAGE	24
SB-1616 CONCURRENCE	PAGE	49
SB-1626 CONCURRENCE	PAGE	57
SB-1689 CONCURRENCE	PAGE	58
SB-1719 CONCURRENCE	PAGE	60
SB-1752 CONCURRENCE	PAGE	60
SB-1771 CONCURRENCE	PAGE	62
SB-1806 CONCURRENCE	PAGE	63
SB-1839 CONCURRENCE	PAGE	64
SB-1840 CONCURRENCE	PAGE	64
SB-1860 CONCURRENCE	PAGE	65
SB-1870 CONCURRENCE	PAGE	65
SB-1954 CONCURRENCE	PAGE	66
SB-1959 CONCURRENCE	PAGE	67
SB-1960 CONCURRENCE	PAGE	68
SB-1989 CONCURRENCE	PAGE	69
SB-2022 CONCURRENCE	PAGE	69
SB-2027 CONCURRENCE	PAGE	71
SB-2027 OUT OF RECORD	PAGE	75
SB-2079 CONCURRENCE	PAGE	75
SB-2185 CONCURRENCE	PAGE	75
SB-2201 CONCURRENCE	PAGE	76
SR-1265 RESOLUTION OFFERED	PAGE	3
SR-1266 RESOLUTION OFFERED	PAGE	3
SR-1267 RESOLUTION OFFERED	PAGE	95
SR-1268 RESOLUTION OFFERED	PAGE	95
SR-1269 RESOLUTION OFFERED	PAGE	95
SR-1270 RESOLUTION OFFERED	PAGE	95
SR-1271 RESOLUTION OFFERED	PAGE	98
SR-1272 RESOLUTION OFFERED	PAGE	98
SJR-0033 CONCURRENCE	PAGE	76

DAILY TRANSCRIPTION OF DEBATE INDEX

JUNE 28, 1988

SUBJECT MATTER

SENATE TO ORDER - PRESIDENT ROCK	PAGE	1
PRAYER - REVEREND JOSEPH CERNICH	PAGE	1
JOURNALS - POSTPONED	PAGE	1
MESSAGES FROM THE HOUSE	PAGE	1
SENATOR DONAHUE - INTRODUCTION OF GUEST	PAGE	4
COMMITTEE REPORTS	PAGE	5
EXECUTIVE APPOINTMENTS	PAGE	5
MESSAGE FROM THE HOUSE	PAGE	94
MESSAGES FROM THE HOUSE	PAGE	96
ADJOURNMENT	PAGE	98