

85TH GENERAL ASSEMBLY

REGULAR SESSION

June 29, 1988

PRESIDENT:

(Machine cutoff)...hour of ten having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend Danny O'Quinn, Tabernacle Baptist Church, Decatur, Illinois. Reverend.

REVEREND DANNY O'QUINN:

(Prayer given by Reverend O'Quinn)

PRESIDENT:

(Machine cutoff)...Reverend. (Machine cutoff)...of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that reading and approval of the Journal of Thursday, June 16th; Friday, June 17th; Tuesday, June 21st; Wednesday, June 22nd; Thursday, June 23rd and Friday, June 24th and Monday, June 27th and Tuesday, June 28th, 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's so ordered. 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 recede from their amendment of a bill of the following title, to-wit:

Senate Bill 1697.

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 of the two Houses in regard to the amendments to the bill.

*HB 3470
Refuse to concur
message from the House*

I have like Messages on Senate Bills 1697, 1742, 1780, 1781, 1795, 1842, 1856, 1889, 1897, 1955, 1958, 2127, 1689, 1719, 1751, 1839, 1840, 1860, 2022, 2079, 2147 and 2185.

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 3470 with House...pardon me, with Senate Amendment No. 1.

PRESIDENT:

Secretary's Desk. Ladies and gentlemen, we'll begin on the Order of Secretary's Desk Resolutions and just go right down the Calendar. Then we'll go to the Order of Secretary's Desk Concurrence where there are five Senate bills yet remaining and then on the Order of Secretary's Desk Nonconcurrence and then the Secretary should have available a supplemental Calendar for our...(machine cutoff)...Messages that...that ask the Senate to accede to the requests of the House for a conference committee, Senator Philip and I will move that we accede to their request so that that paper can keep flowing. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The Senate does accede to the request of the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Page 4...bottom of page 4, Secretary's Desk Resolutions. (Machine cutoff)...Resolution 617, Senator Rock. 6-1-7.

SECRETARY:

(Machine cutoff)...Resolution 617.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Resolution 617 was introduced in the Execu-

tive Committee at the request of Lieutenant Governor George Ryan and it calls upon the United States to enter into a free trade agreement with Canada. It is identical to a resolution that we adopted in this Chamber unanimously in 1987, and the Lieutenant Governor because of his extensive talks with the Canadian Government, as a matter of fact,...I think the Prime Minister from Quebec will be here today. We are urging the United States Congress and the President to enter into this agreement. I know of no objection and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock moves the...moves to adopt Senate Resolution 617. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Resolution 617 is adopted. Further resolutions? 755, Senator Kelly. Senator Kelly on the Floor? Madam Secretary, 755.

SECRETARY:

Senate Resolution 755.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Yes, thank you, Mr. President, members of the Senate. Senate Resolution 755, this is the legislation which calls for a...establishment of a cancer information...and research center in the southeast portion of...of Cook County. There has been legislation which has passed both the House and the Senate on this same subject and this would give added...and it requests the...the Governor and Department of Public Health to locate this research center in southeast Cook County, and I move for passage of this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Kelly has moved to adopt Senate Resolution 755. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it...Senate Resolu-

tion 755 is adopted. Senate Resolution 844, Madam Secretary.

SECRETARY:

Senate Resolution 844.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas. All right. Take it out of the record. 907, Senator Luft. Bottom of page 4, resolutions. Senate Resolution 904, Madam Secretary.

SECRETARY:

Senate Resolution 907.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Resolution 907 urges Congress to reinstate the diesel fuel excise tax exemption for farmers and other off-road users. Congress changed the point of collection of federal diesel fuel excise taxes from the retail level to the wholesale level as of April 1st. It requires farmers and other off-road diesel fuel users to pay the tax at the time of...purchase where, in fact, they had...end of the year. This will allow the farmers to keep their money a little bit longer and I would urge for the adoption...or passage of Senate Resolution 907.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Luft has moved to adopt Senate Resolution 907. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 907 is adopted. Top of page 5, 908, Senator Luft. Senate Resolution 908, Madam Secretary.

SECRETARY:

Senate Resolution 908.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. This effectively does the same

as Senate Resolution 907. It just urges Congress to change the collection procedures for gasoline and gasohol excise taxes, and I would move for the adoption of Senate Resolution 908.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Luft has moved to adopt Senate Resolution 908. Those in favor of...of the adoption indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 908 is adopted. Senate Resolution 949, Madam Secretary.

SECRETARY:

Senate Resolution 949. The Committee on Executive offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Lady...Ladies and Gentlemen of the Senate. Committee Amendment No. 1 adopted by voice vote extended the resolution to cover the entire State of Illinois and corrected a technical error. What this Senate...Senate resolution does is urges the Congress of the United States to authorize and appropriate three hundred and fifty million dollars necessary for the State Revolving Loan Fund to bring various Illinois communities into compliance with new Federal Clean Water Act standards.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Raica, pardon me for interrupting, but there...there is a technical amendment that needs to be adopted prior to. I think you...you want to explain the technical amendment, let's adopt it first.

SENATOR RAICA:

Okay. All it does is...extended the resolution to cover the entire State of Illinois and that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica moves to adopt Amendment No. 1 to Senate

Resolution 949. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments, Madam Secretary?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica, now let's proceed with Senate Resolution 949 as amended.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What we do in the Senate resolution is urge Congress to release the three hundred million...three...three hundred and fifty million dollars appropriated for the Clean Water Act...including the two hundred and twenty-six communities, and also extend the deadline which currently stands at July 1st, 1988, to give these communities time to get in compliance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Raica has moved to adopt Senate Resolution 949. Further discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 949 is adopted. Senate Resolution 1126, Senator Jerome Joyce...Senator Jerome Joyce, 1126? Senate Resolution 1137, Senator Carroll. Senate Resolution 1168, Senator D'Arco. Senate Resolution 1212, Madam Secretary.

SECRETARY:

(Machine cutoff)...Resolution 1212.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Resolution 1212 happened just about two...two short weeks ago. The Gladys Gonzalez clemency petition was

filed with the Illinois Prisoner Review Board. Since then, scores of religious leaders, women's organizations and Hispanic groups have endorsed the petition and the list of supportive organizations continues to grow. The Gladys Gonzalez clemency petition is rapidly becoming a symbol for...of this state's commitment to address the...domestic violence and to bring a sensitivity about the problem to our criminal justice system. Many of you are quite familiar with the facts of this case. Gladys Gonzalez suffered through seven years of horrible abuse by her husband. At one point he held a gun to her head in the presence of their...in the presence of their two children and told Gladys that if the phone rang she would be dead. Gladys' attempt to secure police protection failed because our laws were inadequate at the time and her efforts to leave the marriage resulted in death threats against Gladys and her children. In desperation, she contemplated suicide and eventually asked a cousin to kill her husband. Gladys confessed to her crime and was given the maximum sentence for murder. She had never committed a crime before. Since Gladys was sentenced...this Legislature formally recognized the failure of our laws to properly address the problem of domestic violence. In a tragic sense, it was the system that...that...that let Gladys and her children...fail. I received a copy of the letter to Governor Thompson from an attorney who helped draft the Illinois Domestic Violence Act. Her brother came to my office seeking assistance. I asked Steve Morrill to personally intervene and check the facts on this matter. They were totally reviewed and he went to his law firm and asked for a pro bono case. Since that time, Gladys...since her incarceration has been a model prisoner. She received two college degrees and she is trying to come back to her family. I move for the adoption of 1212.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in strong support of Senate Resolution 1212. And when we passed the Domestic Violence Act which was shortly after this very unfortunate incident occurred, let me read to you what the pretext to that Act said. "This Act shall be liberally construed and applied to promote its underlying purposes to recognize domestic violence as a serious crime against the individual and society which produces family disharmony in thousands of Illinois families, promotes a pattern of escalating violence which frequently culminates in intrafamily homicide and creates an emotional atmosphere that is not conducive to healthy childhood development. And also recognizes that the legal system has ineffectively dealt with family violence in the past allowing abusers to escape effective prosecution or financial liability and has not adequately acknowledged the criminal nature of domestic violence." It was Gladys Gonzalez's response that, in fact, triggered my support and other people's support for that Act. In closing, let me read to you just a short comment made by Cardinal Bernardine and that is, "I am...I am writing to...in regard to Mrs. Gladys Gonzalez and her request for clemency in the form of commutation of sentence. I am told during her incarceration Gladys has not only demonstrated remorse for her crime but a genuine willingness to return to society as a productive citizen." And he goes on and on and he closes by saying to the Prison Review Board, "Your consideration of clemency would be appreciated." And I can find no stronger endorser of clemency than Cardinal Bernardine. I urge that we pass Senate Resolution 1212.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Can we have some order, please.
Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, if...if there ever was a travesty of justice this is the one. This woman confessed her crime fifteen minutes after she was picked up. She was in constant terror of her life and her freedom from a husband who was very sadistic, who, as Senator Lechowicz said, would put a gun to her head and say, well,...when the telephone rings, I'm shooting this gun into your head. This woman...had gone to the police for help, she was ignored. She was...ignored when she told them about the death threats he had made against her and their two children. She had contemplated suicide. She had done everything to avoid the situation in which she got into but no one gave a darn. Now, whether there was a battered woman syndrome project then or not, it seems to me that the court should have taken into consideration all of these...facets. The fact that this man was sadistic, her husband, had made so many threats, had battered the woman up, how much could she take? I certainly join Senator Lechowicz and the other co-sponsors in this resolution in asking that the Prison Review Board commute her sentence and ask of the Governor to commute it because if there ever was a case that is justified for Mrs. Gonzalez, this is it. She has done her part. Why she received forty years when there are rapists who get out...what is it, six to fifteen and what have you, I'll never know, but she didn't deserve no forty-year sentence. And I certainly concur with the sponsors of this resolution and ask that Mrs. Gonzalez be given every...every consideration to be free and her sentence commuted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Karpziel.

SENATOR KARPIEL:

Well, thank you, Mr. President. Just very quickly I want to mention that sometime the two victims of spousal violence

are the children who suffer from the exposure to this violence. As a matter of fact, the Gonzalez children were often forced to witness the beatings of their mother by their father, that's a terrible thing for these children. They continue to suffer because of their mother's incarceration as they've been separated now...eight and a half years from the one parent who provided them love and support. Many of us feel that Mrs. Gonzalez has been adequately punished for her crime and we ask you to please support Senate Resolution 1212.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I believe that given all the circumstances on this crime, eight and a half years is...more than appropriate punishment for Gladys' participation. But as was pointed out, here's a lady who was abused consistently by the man she married. She went to the police and at the time there was absolutely nothing they could do as far as domestic violence to a situation like this. It's time to reunite Gladys with her children, the real victims of this story. I strongly encourage your favorable vote on behalf of Senate Resolution 1212.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz, the gentleman was closing. Senator Marovitz.

SENATOR MAROVITZ:

Just ask leave to be added as a hyphenated sponsor to this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Is leave granted? Leave is granted. All right. Further discussion? If not, the question is, shall the Senate adopt Senate Resolution

1212. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 1212 is adopted. 1225, Senator Jerome Joyce. Senate Resolution 1246, Madam Secretary.

SECRETARY:

Senate Resolution 1246.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and members of the Senate. Senate Resolution 1246 urges the Illinois congressional delegation to seek a waiver for the U.S. EPA for the thirteen hundred buildings in Illinois...school buildings in Illinois that were previously inspected. We join the...we're asking that we join the Governor in this effort to exempt those buildings that were inspected between April 1st of 1986 and September 11th of 1987. I urge support for the resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Severns has moved the adoption of Senate Resolution...1246. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 1-2-4-6 is adopted. (Machine cutoff)...Resolution 94, Senator Madigan. I'm sorry, Senator Savickas. House Joint Resolution 94, Madam Secretary.

SECRETARY:

House Joint Resolution 94. There are no committee amendments. There is one Floor amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas, there's a Floor amendment. Senator Savickas.

SENATOR SAVICKAS:

Yes, is that the Floor amendment to...for the date or...there should be two down there. One is...

SECRETARY:

First Floor Amendment offered by Senator Dudycz.

SENATOR SAVICKAS:

Well, no...that's the one we would be opposing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Madam Secretary, is...is...the first amendment is Senator Dudycz'. Senator Savickas? All right. Amendment, Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 to House Joint Resolution No. 94 simply amends the resolution to create the Campaign Ethics and Vote Fraud Committee. It adds vote fraud. You may recall, several days ago each one of us in this Body received a memorandum from the State Board of Elections. In it, there was a...a letter to all election authorities from the State Board and I'd like to quote a couple of sentences. It starts off by saying, "In March of 1986, the State Board of Elections issued a report on absentee voting that among other things signaled an alarm about absentee voting abuses existing and...proliferating in the State of Illinois." Then it goes on to say, "Two years later, despite our aggressive efforts to enforce clear Statutes strictly prohibiting such activities, we see a continued and accelerated development of absentee voting abuses." What this amendment does is just extend the authority to investigate the vote fraud as well as the ethical campaign practices. I seek your support on Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Savickas.

SENATOR SAVICKAS:

Well, Senator...Dudycz is kind of misleading the whole Body here. He doesn't want to say that the resolution just...tacks Chicago as being unethical in their practices. He will say that we...we need a resolution, we need a ethics

committee but he puts in words that have no place in this resolution, talking about an 1982 Grand Jury investigations for Chicago, 1982 the Grand Jury vote fraud. This has nothing to do with just the City of Chicago, this is a concern for the whole State of Illinois, and there has been vote fraud in many areas of the state which Senator Dudycz does not want to bring into this resolution. I think just to pinpoint the City of Chicago in a resolution that is going to be bipartisan and basically to help all of us keep the state moving forward in ethics, I think the amendment should be defeated. The original bill calls exactly what the rest of Senator Dudycz's amendment wants except it eliminates just the one particular reference to Chicago and no place else in the state. I would move its defeat.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Dudycz may close.

SENATOR DUDYCH:

Thank you, Mr. President. Ladies and gentlemen, and specifically Senator Savickas, if you'll read the amendment, it does refer to other parts. It says, "Whereas there has been much evidence that vote fraud is...has occurred in the City of Chicago and in other parts of the state since 1982." This is for the entire State of Illinois. The specific references to Chicago, Senator, are...are...and...and I will quote from that because this is very important. It says, "Whereas the special January 1982 Grand Jury undertook an extensive investigation into allegations of vote fraud and in doing so charged sixty-two people in federal election crimes." It goes..."The Grand Jury surmised that substantial vote fraud occurred in the City of Chicago," that's the facts, "during the November 2, 1982, election and that similar fraudulent activities occurred prior to 1982." So...I'm talking about specific instances where there were people either convicted or pleaded guilty to election vote fraud crimes in the City

of Chicago. Again, I stress that this does state furthermore that it...it pertains to other parts of the state and I seek your affirmative vote and I am requesting a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz has moved the adoption of Amendment No. 1 to House...House Joint Resolution 94. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, I think this deals just with the reporting date and it changes that because...I think it's just the reporting date changed on this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas has moved the adoption of Amendment No. 2 to House Joint Resolution 94. Is there discussion? Senator Dudycz.

SENATOR DUDYCYZ:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Dudycz.

SENATOR DUDYCYZ:

Senator, I was informed that this amendment will not track with the resolution...as amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Senator, probably with your silly amendment it wouldn't, but with...we will fix that up tomorrow. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas has moved the adoption of Amendment No. 2 to House Joint Resolution 94. Those in favor will indicate by saying Aye. Opposed Nay. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Joint Resolution 103, Senator Philip. House...all right. Senator Savickas. All right. Senator Savickas wishes to proceed with House Joint Resolution 94, Madam Secretary.

SECRETARY:

House Joint Resolution 94.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, I would move its adoption at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right as amended. All right...Senator Savickas moves to adopt House Joint Resolution 94 as...amended. 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)...all voted who wish? Those...take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt House Joint Resolution 94. House Joint Resolution 188, Senator Jerome Joyce. House Joint Resolution 199, Senator Dudycz. All right. House Joint Resolution 199, Madam Secretary.

SECRETARY:

House Joint Resolution 199.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President, Ladies and Gentlemen. House Joint Resolution No. 99 requests the United States Postal Service to issue a stamp commemorating the Illinois Vietnam Veterans' Memorial. The Citizens' Stamp Advisory Committee of the U.S. Post Office issues twenty-four commemorative stamps annually. A United States Vietnam Veteran commemorative stamp has been previously issued and this requests the U.S. Postal Service to issue one for the Illinois Vietnam Veterans' Memorial.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Dudycz has moved to adopt House Joint Resolution 199. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 199 is adopted. It's my understanding that Senator Weaver wishes to have leave to handle House Joint Resolution 103 for Senator Philip. Is leave granted? Leave is granted. All right. House Joint Resolution 103, Madam Secretary.

SECRETARY:

House Joint Resolution 103. The Committee on Executive offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

The amendment just corrects the date and it does just as the Calendar states. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Weaver has moved the adoption of Amendment No. 1 to House Joint Resolution 103. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver on the resolution, House Joint Resolution 103. Senator Weaver moves to adopt House Joint Resolution 103. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 103 is adopted. Senate Joint Resolution...81, Senator D'Arco. Senate Joint Resolution 93, Senator Thomas Dunn. (Machine cutoff)...Resolution 104, Senator Philip. Is there leave to have Senator Weaver handle that for Senator Philip? Leave is granted. Bottom of page 5, Secretary's Desk resolutions is...Senate Joint Resolution 104, Madam Secretary.

SECRETARY:

Senate Joint Resolution 104.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. SJR 104 does just as the Calendar states, urges the Secretary of the Navy to name a ship after General Clifton Cates.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Weaver has moved to adopt Senate...Senate Joint Resolution 104. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 104 is adopted. Page 6, Senate Joint Resolution 130, Madam Secretary.

SECRETARY:

Senate Joint Resolution 130.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR del VALLE:

Thank you, Mr. President. Senate Joint Resolution 130 extends the reporting date for the Joint Committee on Minority Student Access to Higher Education to December of '88. I

move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator del Valle has moved to adopt Senate Joint Resolution 130. If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 144 is adopted. Senate Joint Resolution...I'm sorry, Senate Joint Resolution 130 is adopted, 130. Senate Joint Resolution 144, Senator Jerome Joyce. Senate Joint Resolution 146, Senator Savickas. Senator Thomas Dunn indicates that he is now prepared to proceed. On page 5, Madam Secretary, is Senate Joint Resolution 93. Page 5, Senate Joint Resolution 93.

SECRETARY:

(Machine cutoff)...Joint Resolution 93.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Thomas Dunn.

SENATOR THOMAS DUNN:

Thank you, Mr. President. This resolution asks that the navy name a vessel after General Cates who was the most decorated Marine Corps officer in World War I and rose to become the 19th Commandant of the Marine Corps. I ask for favorable passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Thomas Dunn has moved to adopt Senate Joint Resolution 93. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 93 is adopted. Does anyone else have a resolution on the Secretary's Desk that he...Senator Hawkinson, for what purpose do you arise?

SENATOR HAWKINSON:

Thank you, Mr. President. I have a motion on writing regarding a resolution which I've cleared with both sides of the aisle.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, it's...it...for...is there leave to go specifically to this motion in writing for Senator Hawkinson with respect to what...

SENATOR HAWKINSON:

In...with respect, on page 11, to House Joint Resolution 194.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is leave granted? Leave is granted. All right, page 11. (Machine cutoff)...Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I've cleared this motion to discharge Executive on House Joint Resolution 194. This House joint resolution is identical to a Senate Joint Resolution 133 that we passed in the Senate with the exception of a House amendment which specifies is not site specific. It talks about an animal disease lab and this resolution is in general in...in western Illinois whereas the resolution we passed was site specific.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hawkinson moves to discharge the Committee on Executive from further consideration of House Joint Resolution 194 and be placed on the Calendar on the Order of Secretary's Desk. All those in favor of the motion will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carried. So ordered. Senator Hawkinson on the...on House Joint Resolution 194. Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Last week we passed Senate Joint Resolution 133 calling for the construction and...and...by a private contractor in lease of an animal disease laboratory at a site in Galesburg. This resolution is identical except Galesburg is not mentioned and House amendment said western Illinois instead of a specific site at Galesburg. I'm comfortable with the amendment and would urge

the adoption of the resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Only to say that there is some discussion within my district about locating this particular facility at Galesburg as opposed to the campus of Blackhawk College which is the premier community college in Illinois that has an agricultural program, and the wording of the resolution is such that I think it could either include Kewanee or Galesburg or any of the other communities in western Illinois. So I don't oppose the amendment but just so we all understand what we're voting on here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Smith, on this? Senator Smith, on this resolution? All right. Senator Newhouse. All right. Senator Hawkinson moves to adopt House Joint Resolution 194. Further discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The...Ayes have it. House Joint Resolution 194 is adopted. (Machine cutoff)...Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

A personal privilege, please, Mr. President. Mr. President, I move to discharge the Committee on Executive from further consideration of Senate Resolution 1264 and that...that resolution be placed on the Order of Resolutions...Consent Calendar. It got on there by mistake.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Newhouse. Senator Davidson, for what purpose...Senator Davidson.

SENATOR DAVIDSON:

What...I'm sorry, I did not hear him explain what this resolution does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The gentleman indicated that it was a congratulatory resolution. Senator Newhouse.

SENATOR NEWHOUSE:

Congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

And it was placed in the Executive Committee...by error. All right. Senator Smith, on this resolution? All right. Senator Newhouse moves to discharge the Committee on Executive from further consideration of Senate Resolution 1264 and that it be placed on the Order of Consent...Resolutions Consent Calendar. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate Executive Committee is discharged from Senate Resolution 1264 and it will be placed on the Order of Resolutions Consent Calendar before us for action today. Senator...Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Number one, I ask leave to add Senator Karpriel as a hyphenated cosponsor on this resolution. But I...I move to...discharge from the Senate Executive Committee from further consideration of Senate Resolution No. 1250 and that the resolution be placed on the Order of Secretary's Desk Resolution. Want me to explain it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Smith, have you cleared it with both sides of the aisle?

SENATOR SMITH:

Yes, I have cleared with the chairman of the Executive Committee and also I have cleared with the minority chairman of the Senate Executive Committee, Senator Karpriel, and she has also cleared it with their side of the aisle...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Smith seeks leave of the

Body to add Senator Karpel as a hyphenated cosponsor of the resolution at Senator Smith's request. Is leave granted? Leave is granted. So ordered. Now, Senator Smith, your...your motion is to discharge the Committee on Executive from...further consideration and that...ask that the resolution be placed on the Calendar on...all right. Senator Smith moves that the Committee on Executive be discharged from further consideration of Senate Resolution 1250 and that it be placed on the...on the Secretary's Desk on the Order of Resolutions. Is leave granted? Leave is...I'm sorry, all those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 1250 be on the Secretary's Desk. The Committee on Executive is discharged. Ladies and Gentlemen, with leave of the Body, we will return to the Order of Secretary's Desk Concurrence. So, like I say, we'll go to that order of business on page 6 of your Calendar. Page 6 of your Calendar, we'll...we'll go to the Order of Secretary's Desk Concurrence, go right down the page, go to page 7, right down concurrence and right on down through nonconcurrence. That is the procedure for the rest of the morning. Page 6, Senator Zito. Is Senator Zito on the Floor? (Machine cutoff)...Zito on the Floor? Senator Holmberg on the Floor? Bottom of page 6, Senate...Senate Bill 2027, Madam Secretary.

SECRETARY:

(Machine cutoff)...Amendment No. 1 to Senate Bill 2027.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Senate Bill 2027 is the bill that adds provisions establishing a basis for transfer of tenure when a high school is deactivated or reactivated. It basically extends seniority provisions for teachers in those instances of deactivation of high schools. Currently, teachers are laid off and recalled by seniority when need arises

for reduction in force by school districts and in any consolidation of school districts. This particular plan basically follows conventional practice right now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you,...very much, Mr. President, members of the Senate. Well, once again, today, Senator Holmberg, I...I rise to...to oppose this conference committee...this...this motion to concur. As we discussed yesterday, we worked long and hard putting together...high school deactivation. You may well, in fact, in your district have some...some districts that may want to use this method of consolidation and why we want to muddy the water here is more than I can understand. We put in the high school deactivation bill, as I said yesterday, a five-year sunset so...if it didn't work out, they could go...they could either consolidate from that point on or go back to their original district. An agreement that I had with the IEA at the time was...was as...as the law now stands and I just simply reject any notion to change that at this point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I can only repeat what I said yesterday as well and I think Senator Maitland's point is the most important. But, secondly, this approach to solving a difficult problem simply pits one group of teachers against another, and I don't see why you would want to take a young teacher in a school district that has been operating well and relegate that school teacher to a school teacher who comes in from another area that has been the unfortunate...in the unfortunate circumstance of a deactivation. It doesn't make any sense to me

AB 2152
concurrent

why you want to do this to school teachers, and I think we ought to leave it to the local collective bargaining process rather than try to mess up an otherwise workable situation. I urge a No vote on Senate Bill 2027.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Holmberg may close.

SENATOR HOLMBERG:

Thank you, Mr. President. If I could remind the Senate that provisions in this bill trigger in only after voters in a high school district having taken a look at their program and having made a decision that it's necessary to deactivate needs some way of combining their teaching staffs. As I mentioned before, this is general practice right now. This just puts into law what is already being done. I think it's the best way to do it and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate concur with House Amendment 1 to Senate Bill 2027. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 23, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 2027 and the bill having received the required constitutional majority is declared passed. Page 7, Senate Bill 2052, Senator Jones. Senator Jones on the Floor...2141, Senator Jones. 2152, Senator Karpel. Page 7, Senate Bills 2154, Madam Secretary. 2152.

SECRETARY:

House Amendment No. 1 to Senate Bill 2152.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpel.

SENATOR KARPIEL:

(Machine cutoff)...you, Mr. President. Senate Bill 2152

as amended reinstates the term appointment law in the Personnel Code. This law was first passed in 1980 and it allows the agencies to review the performance of its top managers every four years. The courts recently ruled that a law is not in effect...that this law...the past law is not in effect because of a sunset provision that was neglected to be repealed. This bill would reenact the term appointment law without changing its substance and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...discussion?...the question is, shall the Senate concur with House Amendment 1 to Senate Bill 2152. 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 48, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 2152 and the bill having received the required constitutional majority is declared passed. Okay. We're going nonconcurrences. Page 7, Secretary's Desk nonconcurrence is House Bill 849, Senator Savickas. 1072, Senator Jacobs. House Bill 1560, Senator Karpziel. 1560? House Bill 3150, Senator Carroll. House Bill 3162, Senator Carroll. 3199, Senator Etheredge. House Bill 3203, Senator Kustra. House Bill 3204, Senator Mahar, bottom of page 7. (Machine cutoff)...Mahar. Page 8, House Bill 3205, Senator Ralph Dunn. Senator Ralph Dunn on the Floor? House Bill 3227, Senator Watson. House Bill 3228, Senator Mahar. 3231, Senator Watson. 3233, Senator Hawkinson. 3237, Senator Weaver. (Machine cutoff)...3240, Senator Etheredge. 3242, Senator Dudycz. (Machine cutoff)...Dudycz, 3242?...3403, Senator Davidson. All right. On the Order of Secretary's Desk Nonconcurrence, bottom of page 8, is House Bill 3403, Madam Secretary.

SECRETARY:

Senate Amendments 1, 2, 3 and 4 to House Bill 3403.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I move we not recede from Senate Amendment 1, 2, 3 and 4 and ask for a conference committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3 and 4 and that a conference committee be appointed. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 3448. Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 3448.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I move we not recede from Senate Amendment No. 4 and ask for a conference committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson moves that the Senate refuse to recede from the adoption of Senate Amendment 4 to House Bill 3448 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 and the Secretary shall so inform the House. Top of page 9, House Bill 3464, Senator Etheredge. 3548, Senator Karpziel. House Bill 3-5-4-8, Madam Secretary.

SECRETARY:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

HB 3615
3rd Reading

SENATOR KARPIEL:

Thank you, Mr. President. I move that the Senate refuse to recede from House...from Senate Amendments 1, 2 and 3 and ask that a conference committee...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpriel moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 to House Bill 3548 and that a conference committee be...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 3615, Madam Secretary.

SECRETARY:

Senate Amendment 1 to House Bill 3615.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I move we...I move the Senate recede from Senate Amendment No. 1 to House Bill 3615. As originally presented House Bill 3615 establish...established the offense of aggravated battery of a senior citizen and made it a Class 2 felony and nonprobationable. The Senate amendment added nine other categories of people to be included under the aggravated battery Statute. The House does not believe that is a wise decision. I move to recede.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question...discussion? Senator Degnan has moved to recede from the adoption of Senate Amendment No. 1. The question is, shall the Senate recede from Senate Amendment 1 to House Bill 3615. 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 51, the Nays are 3, none voting Present. The

Senate recedes from Senate Amendment 1 to House Bill 3615 and the bill having received the required constitutional majority is declared passed. Senator Luft, for what purpose do you arise?

SENATOR LUFT:

A point of personal privilege, please, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point, sir. State your point, sir.

SENATOR LUFT:

In the President's Gallery are the 1988 officers of the Future Farmers of America, Cory Torrence, Gayla Luttrell, John Vandike, Jeff Beavers along with their sponsor, Doctor Harold Reitz, and his two sons, would they please rise?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Our guests in the gallery please rise. Welcome...welcome to Springfield. House Bill 3683, Madam Secretary.

SECRETARY:

Senate Amendment No. 2 to House Bill 3683.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 2 to House Bill 3683. Is there discussion...and that a conference committee be appointed. Is there discussion? If not,...all those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 3857, Senator Schaffer. 3914, Senator Savickas. 4220, Madam Secretary. House Bill 4-2-2-0.

SECRETARY:

(Machine cutoff)...Amendment No. 3 to House Bill 4220.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President. I move that the Senate refuse to recede from Senate Amendment 3 and that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

On a different matter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Friedland has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 3 to House Bill 4220. Is there discussion? (Machine cut-off)...right. 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 Joint Resolution 1, Madam Secretary. No, take it out...take it out of the record. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As I'm sure the members are aware, the conference committees are starting to meet. I would suggest that, with leave of the Body, we can go back and pick up Senator Jones' couple of bills on concurrence if he wishes, and then...our intent is to take a recess for the purpose of those conference committees and/or lunch and we would come back at approximately...at three o'clock at which time we should have a supplemental Calendar for us to deal with. But let's go back and pick up those two on concurrence and then we're...we'll break till three o'clock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson, for what purpose do you arise?

SENATOR HAWKINSON:

Thank you, Mr. President. A point of personal privilege. I was taking a phone call when the vote to recede of...from the Senate amendment on House Bill 3615 and I...my switch was punched, yes, but I...had I been here I would have voted No and in...in opposition to the receding from that amendment. I'd like the record to so reflect.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. All right. The record will indicate so...all right. Leave of the Body, we will now return to page 7...page 7 of your Calendar...top of page 7, Secretary's Desk concurrence is Senate Bill 2052, Madam Secretary.

SECRETARY:

House Amendments 1 and 2 to Senate Bill 2052.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. I move that the Senate concur in the House Amendment No. 1 and 2...to Senate Bill 2052. The...both of the amendments are technical in nature. It does not change the intent of the legislation and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? The question is, shall the Senate concur with House Amendments 1 and 2 to House...I'm sorry, to Senate Bill 2052. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 2052 and the bill having received the required constitutional majority is declared passed. Senate Bill 2141, Madam Secretary. Oh, take it out of the record. All right...Senator Hawkinson,

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

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We are, as you well know, awaiting further Messages from the House and there are conference committees that are meeting. I'd move we stand in recess until the hour of three o'clock...three o'clock this afternoon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Senate will...Senator Rock moves that the Senate stand in recess till this afternoon at the hour of three o'clock. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes...yes, in record to an...important announcement. For about a year and a half Senator Fawell and I have not been communicating. This morning I talked to her and I told her to have a little patience, give me six more months to get my strength back and she replied that she would wait. Thank you, Mr. Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...right. Further business to come before the Senate? The Senate will stand in recess till the hour of three o'clock. Wait a minute,...you had...we have some paper work. Senator Rock,...we have some paper work. We'll do that and then we'll recess. Resolutions.

SECRETARY:

Senate Resolution 1273 offered by Senators Philip, Fawell, Karpel, Etheredge, Topinka, Mahar and Hudson.

Senate Resolution 1274 offered by President Rock and all members.

Senate Resolution 1275 offered by Senators Kelly, Philip, Mahar and DeAngelis.

Senate Resolution 1276 offered by Senator Kelly.

They're all congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 1277 offered by Senators Kelly, DeAngelis and Mahar, it is substantive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right. Senator Rock moves that the Senate stands in recess till the hour of three o'clock.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will please come to order. I've asked the Secretary to distribute the supplemental Calendar. I alert Senators Rigney, Savickas, Hawkinson and Topinka. 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 3705 with Senate Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR MACDONALD:

Mr. President, I would like to ask that Senate Joint Resolution 159 be taken from the Consent Calendar and be acted upon at this time. It is a congratulatory resolution, but in order for it to pass the House, I would like to have it taken and passed upon right now.

PRESIDENT:

All right. Senator Macdonald has asked leave of the Body

to take Senate Joint Resolution 159 from the Consent Calendar to be acted upon immediately. So Senator Macdonald has moved to suspend the rules for the purpose of the immediate consideration and adoption of Senate Joint Resolution 159. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. On the question, the question before the Body is the adoption of Senate Joint Resolution 159. Senator Macdonald.

SENATOR MACDONALD:

Yes, this is a congratulatory resolution to Mr. Robert Saben who is to become the grand exalted ruler of...of the Elks and that...that's right, and that ceremony will be taking place in mid-July. So I ask for your vote on this resolution.

PRESIDENT:

All right. Senator Macdonald has moved the adoption of Senate Joint Resolution 159. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Dunn, for what purpose do you arise, sir?

SENATOR RALPH DUNN:

Thank you, Mr. President. For a...a motion of a personal interest. I have some people up in the gallery.

PRESIDENT:

State your point, sir.

SENATOR RALPH DUNN:

Okay. Washington County 4-H Club is up in the gallery on the Republican side here with their leader, Connie Frediking. I'd like to have them stand and be recognized.

PRESIDENT:

Will our guests please stand and be recognized. Welcome to Springfield. Ladies and gentlemen, if I can have your attention, we will move to the Order of Supplemental Calendar No. 1, and I've discussed with Senator Philip the probability

B12H
7/2 e.c.R.

at least of adjourning until tomorrow morning. There just isn't any paper flowing and...and the conferees apparently are all over the place meeting. So rather than have everybody sit around, we'll just do what we can do and adjourn until nine o'clock tomorrow morning and start over. On the Order of Secretary's Desk Nonconcurrence is House Bill 3470, Senator Rigney. On the Order of Secretary's Desk Nonconcurrence is House Bill 3705, Senator Savickas. (Machine cutoff)...the Order of Conference Committee Reports, there's a Conference Committee Report with respect to Senate Bill 124, Madam Secretary.

SECRETARY:

(Machine cutoff)...Conference Committee Report on Senate Bill 124.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. The Second Conference Committee Report is a recodification of a bill that we passed last year and it will go into effect July 1st as Public Act 85-1003. It was sponsored, I believe, by Senator Degnan last year and was a bill put forth by the Cook County State's Attorney amending the Criminal Code. We found after we passed that last year that there were some technical problems in it in that the...the original bill amended some incorrectly numbered sections of the code which some of the state's attorneys and judges in the state felt might give some defendants cause to challenge the legality of the bill that we passed last year. Briefly, it...it established the new offenses of solicitation for murder and dealt with theft from the person in various dollar amounts, theft from people exceeding not from the person and also dealt with penalties for the manufacture, delivery and possession of more than a hundred grams of controlled substances. In addition to

HB 4037
L.C.E.R.

recodifying that Act that we passed last year, it does one other thing. It also amends the criminal sexual assault and aggravated criminal sexual assault offenses to fill in a...an age gap and include children victims from age thirteen to seventeen who have been assaulted by persons in a position of trust, authority or supervision. That's the only addition to the bill that we passed last year. I'd be happy to try and answer any questions; if not, I would ask for the adoption by the Senate of the Senate...Second Conference Committee Report to Senate Bill 124.

PRESIDENT:

All right. Senator Hawkinson has moved the adoption of the Second Conference Committee Report on Senate Bill 124. Is there any discussion? Any discussion? If not, the question is, shall the Senate adopt the Second Conference Committee Report on Senate Bill 124. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does adopt the Second Conference Committee Report on Senate Bill 124 and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...Topinka, 4037. Do you wish to proceed? Okay. Ladies and gentlemen, on the Senate Calendar Supplemental No. 1 on the Order of Conference Committee Reports, Conference Committee Report on House Bill 4037. Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 4037.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, 4037, as you will recall, was the bill that we sent

over to the House so that it would become the trailer bill for the welfare reform package which Senator Schaffer is handling. This was a bill that was to be used in negotiations between management and labor to come up with a fee that everybody could live with that would be charged in terms of garnishment of wages for child support. Apparently, they have come to some kind of an agreement. It is not to exceed five dollars a month. The current law is four dollars, so this is one dollar over that. Furthermore, the...the negotiations also included an agreement that the cost of...withholding child support payments would be studied even further in the future to see if the five dollar fee would hold. Nobody seems to have a problem with it at this time, it passed out of the House significantly and I would ask for your support for Conference Committee No. 1 to House Bill 4037.

PRESIDENT:

All right. The lady has moved that the Senate adopt the Conference Committee Report on House Bill 4037. Discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. Mr. President, I rise in support of the adoption of this Conference Committee Report. I think raising the fee only one dollar is a reasonable agreement and it has been worked out, as Senator Topinka has indicated, between both business and labor and I would move for its adoption.

PRESIDENT:

All right. Further discussion? Senator Hawkinson. No. Any further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 4037. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, there are 53 Ayes, 1 Nay, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 4037 and the bill having received the required constitutional majority is declared passed. On the Order of Supplemental Calendar No. 1 on the Order of Secretary's of Desk Nonconcurrency is House Bill 3470. Madam Secretary.

SECRETARY:

(Machine cutoff)...Amendment No. 1 to House Bill 3470.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Mr. President, 3470 is the Charitable Games Act and there is a difference between the House and Senate version. I move that we nonconcur.

PRESIDENT:

All right. Senator Rigney has moved that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 3470 and a conference committee be appointed. 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. Resolutions, Madam Secretary.

SECRETARY:

(Machine cutoff)...Resolution 1278 offered by Senators Davidson and all members.

Senate Resolution 1279 offered by Senator Topinka.

Senate Resolution 1280 offered by Senator Savickas, President Rock and all members.

They're all congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution 1281. ✓

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, members of the Senate. Senate Joint Resolution 1281 is a congratulatory resolution. It's one I'd like to get out of here today as quickly as possible and I'd like to move that the...that we suspend the appropriate rules and ask for the immediate consideration of...Senate Joint Resolution 1281.

PRESIDENT:

It's SJR 160. Read the resolution, Madam Secretary.

SECRETARY:

Senate Joint Resolution 160.

(Secretary reads SJR 160)

PRESIDENT:

(Machine cutoff)...Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, members of the Senate. President Watkins has dedicated a lifetime to...to education in this country and more specifically to the State of Illinois and more specifically yet to Illinois State University, and I just thought it was appropriate that we recognize him this way and I would move for the adoption of Senate Joint Resolution 160.

PRESIDENT:

All right. Senator Maitland has moved the adoption of Senate Joint Resolution 160. Discussion on the resolution? Senator Newhouse.

SENATOR NEWHOUSE:

I...I rise in support of this resolution. I want to add my personal congratulations to him and best wishes, and if I might be added as a cosponsor, I'd certainly appreciate that, Senator. Thank you, very much, Mr. President.

PRESIDENT:

All right. With leave of the Body, it will be shown as

Senators Maitland, Newhouse and all members if that's acceptable. Leave is granted. Senator Maitland now moves the adoption of Senate Joint Resolution 160. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Resolutions.

SECRETARY:

Senate Resolution 1281, it is commemorative...is offered by Senators Topinka and all members.

PRESIDENT:

Consent Calendar. All right, ladies and gentlemen, if I can have your attention. There's been a request to go back to the regular Calendar, top of page 9...top of page 9 on the Order of Secretary's Desk Nonconcurrency for 3464. (Machine cutoff)...the Order of Secretary's Desk Nonconcurrency is House Bill 3464. Madam Secretary.

END OF REEL

REEL #2

SECRETARY:

Senate Amendment No. 1 to House Bill 3464.

PRESIDENT:

With leave of the Body, Senator Philip will handle that for Senator Etheredge. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Unfortunately, Senator Etheredge is in a meeting. I'd move we do not concur and ask for a conference committee to be...to be appointed to House Bill 3464.

PRESIDENT:

All right, Senator Philip has moved that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 3464 and that a conference committee be appointed. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution...I mean, the motion carries and the Secretary shall so inform the House. Yes, Senator Brookins, for what purpose do you arise?

SENATOR BROOKINS:

Yes, Mr. President, I make a motion that we go to the Order of Motions in Writing for the purpose of...of...

PRESIDENT:

All right, the gentleman seeks leave of the Body to go to the Order of Motions in Writing. Leave granted? Leave is granted. Senator Brookins.

SENATOR BROOKINS:

Yes, Mr. President, I'd like to offer...make a motion that House Bill 3381 be...bypass...Rules Committee...discharged from the Rules Committee.

PRESIDENT:

Senator Brookins has moved that the Committee on Rules be discharged from further consideration of House Bill 3381. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well,...

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. A question of the sponsor, please.

PRESIDENT:

Indicates he will yield, Senator Hudson.

SENATOR HUDSON:

Senator Brookins, does this...what you're trying to do now have anything to do with plant closing?

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Yes, Senator.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

In other words, you're trying to discharge a bill that would, in effect, put us in consideration here at this late stage of the game on the subject of plant closing without...without proper hearing, it appears to me, before committees or anything else?

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Senator Hudson, I think that you know that everybody in this room and in the Senate and in the State of Illinois and if not in the country are familiar with this bill and what it will do, and what I'm attempting to do is to bring this to

the Floor of the Senate so that we can pass a bill that will help the people of the State of Illinois and that is what I'm trying to put you in the position to do.

PRESIDENT:

Further discussion? Senator Hudson.

SENATOR HUDSON:

Senator Brookins, it was my understanding that this was a subject matter that...that both parties...and maybe I had a misunderstanding but...both parties had agreed, at least the leadership had agreed, that this was not something that we were going to bring up at this time. That was...that has been the impression and the understanding that I've been laboring under, perhaps misguidedly, for the past several weeks.

PRESIDENT:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, Mr. President, I...I'd like to ask the sponsor a question, if I...if I might.

PRESIDENT:

Sponsor indicates he'll yield.

SENATOR DEMUZIO:

Senator, I don't understand your purpose in this. I mean, once you discharge the committee from further consideration of this bill, then it comes to the Order of 2nd Reading in the Senate and I assume that's your motion. The deadline for House bills has passed. I mean, I don't...I don't know at what point you attempt to get this...have this measure considered by this Body because under our rules you haven't got any more time. I mean, I don't know what we're about. Would you mind sharing with us your feelings with respect to that?

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Well, Mr...Senator...Mr. Chairman, I feel that I did not get a...a fair shot at it in the Rules Committee and I'm having a fair shot at it today and this is all I ask, and with that, I'll take it out of the record.

PRESIDENT:

Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

Thank you, Mr...did he take it out of the record?

PRESIDENT:

He did take it out of the record.

SENATOR WEAVER:

All right. Thank you.

PRESIDENT:

...yeah. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Well, Mr. President, I have a resolution that went to the Senate Executive Committee and I've spoke with Senator Jerome Joyce and Senator Karpel. It is a resolution that I think is noncontroversial and I'd like to move to discharge the Committee on Executive from further consideration of Senate Resolution 1263 and ask that it be considered by the Body in a few moments.

PRESIDENT:

The gentleman seeks to discharge the Committee on Executive from further consideration of Senate Resolution 1263 for its immediate consideration and adoption. Any...Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr. President, will the sponsor yield?

PRESIDENT:

Indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Will you tell us what it's all about?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, Senator Geo-Karis. I...I...as I indicated, I have spoke with Senator Karpziel, who's the minority spokesman on Executive, and also with Senator Joyce, the chairman. What this does, it would encourage the state agencies that are considering a new pulsejet technology which is in...which is in regards to the waste water treatment systems in Illinois that they are currently undertaking. All this resolution would...would do would to encourage the agencies to complete their technical review in an expeditious manner so that the implementation of this treatment and technology can begin to be utilized to maximize the utilization of public and private monies required to effectively solve the state's problem of growing treatment costs and it...pertains itself directly to waste water treatment systems and I don't think it's of any controversy.

PRESIDENT:

All right, Senator Demuzio has moved to discharge the Committee on Executive from further consideration of Senate Resolution 1263 for the purpose of its immediate consideration and adoption. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. Committee is discharged. On the main question, the question before the Body is the adoption of Senate Resolution 1263. Is there any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Message 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 concurred with the Senate in the adoption of their amendments to a bill of the

following title, to-wit:

House Bill 3085 with Senate Amendments 1, 2 and 3.

I am further directed to...directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of the following amendments:

Senate Amendments 4 and 6.

PRESIDENT:

Secretary's Desk. Resolutions.

SECRETARY:

Senate Resolution 1282 offered by Senators Fawell and Philip.

Senate Resolution 1283 offered by Senator Kelly.

They're both congratulatory.

PRESIDENT:

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

SENATOR SCHUNEMAN:

To ask leave, Mr. President, to be added as a cosponsor of Senate Resolution 1225.

PRESIDENT:

All right, the gentleman seeks leave to be added as a co-sponsor on Senate Resolution 1225. Without objection, leave is granted. Senator Welch, for what purpose do you arise?

SENATOR WELCH:

Thank you, Mr. President. Mr. President, I have a motion in writing at the Secretary's Desk. Could we go to that order of business? It refers to the Revisory Act.

PRESIDENT:

Right. Madam Secretary,...would you read the motion in writing.

SECRETARY:

I move to discharge the Committee on Rules from further consideration of House Bill 2051 and that the bill be placed

HB 2051
President's Desk

on the Calendar of the Order of 2nd Reading. Senator Patrick D. Welch.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Stan Johnson from the Legislative Reference Bureau contacted me and asked that we move this bill forward so that it'll be ready at the end of the Session for the Revisory Act, and I would move that we discharge the Committee on Rules and place this bill on the Calendar on the Order of 2nd Reading.

PRESIDENT:

For the purpose of an amendment.

SENATOR WELCH:

Yes.

PRESIDENT:

Okay. All right, Senator Welch has moved to discharge the Committee on Rules for the purpose of...moving the revisory bill, Senate...House Bill 2051. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion to discharge prevails. The bill is now on the Order of 2nd Reading. With leave of the Body, we'll move to suspend the rules. All in favor of the motion to suspend indicate by saying Aye. All opposed. The rules are suspended. On the Order of House Bills 2nd Reading is House Bill 2051, Madam Secretary.

SECRETARY:

House Bill 2051.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I...I've read through this amendment from front to back and the Revisory Act, and I certainly recommend to this Body that we adopt this amendment and I would so move.

PRESIDENT:

All right, Senator Welch has moved the adoption of Amendment No. 1 to House Bill 2051. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. Amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

Thank you, Mr. President. I move to...I'd like to have my name taken off Senate Resolution 1250 as a sponsor.

PRESIDENT:

1-2-5-0? All right, the lady seeks leave to have her name removed as the cosponsor of Senate Resolution 1250. Without objection, leave is granted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...will come to order. Senate will come to order. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As I'm sure everyone is aware, the Appropriations Committee folks are upstairs attempting to hammer out the final budgetary figures. There are a number of other meetings scheduled. I'm told the school reform summit is to meet at five. I've just conferred with the Speaker, we cannot

reasonably expect any great deluge of Messages yet this evening, so I would suggest and will move that we stand adjourned till nine o'clock tomorrow morning. We will start at nine o'clock and we will work, frankly, until we have finished the essential state business and I would move we stand adjourned till nine o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved that the Senate stand adjourned until tomorrow morning at the hour of nine. Senate stands adjourned until tomorrow morning at the hour of nine.

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