

84TH GENERAL ASSEMBLY

REGULAR SESSION

July 1, 1985

PRESIDENT:

The Senate will come to order. Reading of the Journal, Mr. Secretary.

SECRETARY:

Wednesday, June the 13th...or 18th, 1985, and Tuesday, June the 18th, 1985, and Wednesday, June the 19th, 1985.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

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

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and it is so ordered. 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 20th; Friday, June 21st; Monday, June 24th; Tuesday, June 25th; Wednesday, June 26th; Thursday, June 27th; Friday, June 28th; Saturday, June 29th and Sunday, June 30th, in the year 1985, 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 of the motion indicate by saying Aye. Those opposed by Nay. The Ayes have it. The motion carries. It's so ordered. Messages from the House.

SECRETARY:

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

Mr. President - I'm directed to inform the Senate the House of Representatives refused to concur with the Senate in the adoption of their amendments to House...Senate amendments to House bills with the following titles:

House Bill 652, 653, 654, 657, 659, 660, 661, 663, 664, 666, 668, 669, 670, 672, 674, 679 and 683.

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

Mr. President - I'm directed to inform the Senate the House of Representatives refused to recede from their amendments to Senate bills with the following title:

To Senate Bill 14.

And, I'm further directed to inform the Senate that they have requested a first conference and the Speaker has appointed the members on the part of the House.

Also, a like Message on 91 with Senate...Amendments...House Amendments 2 and 5.

254 with House Amendment 1.

403 with House Amendments 1, 2, 4, 5, 6 and 7.

449 with House Amendment 1.

...452 with House Amendments 1, 2 and 3.

...47, House Amendment 4.

944 with House Amendment 1.

1091 with House Amendment 1.

1189 with House Amendments 1 and 2.

1345 with House Amendment 1.

1350 with House Amendment 1.

And, 1452 with House Amendment 1.

PRESIDENT:

Senator Demuzio moves that the Senate accede to the request of House. All in favor of the motion to accede indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries with respect to the aforementioned bills.

SECRETARY:

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

Mr. President - I'm directed to inform the Senate the House of Representatives refused to adopt the first Conference Committee report on House Bill 694 and requests a second Committee of Conference in regards to Amendments 1 and 2, and the Speaker has appointed the members on the part of the House.

PRESIDENT:

All right. Senator Degnan moves that the Senate accede to the request of the House. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. If I can have the attention of the membership, WAND-TV has requested permission to tape as has WEBK-TV, Channel 25. UPI has requested to take pictures. WGN requests permission. WCIA-TV and WLS-TV have...all requested permission to take pictures. Is leave granted? Leave is granted. If I can have the attention of the membership, again, in an attempt to expedite the procedure, which...with which we are not having much luck today, if you'll turn to Supplemental No. 1, there are a number of House bills that have been finally returned to the Senate with Senate amendments. My understanding is that the appropriation's people have been meeting and that virtually all are to be in a Conference Committee, which would mean that the...proper motion should be..or I would suggest that let's go down the list and where the Senate sponsor moves that the Senate refuse to recede, we can handle that paper with some dispatch and keep the budgetary process alive. With leave of the Body, we'll take motions to refuse to recede on Supplemental Calendar No. 1. Senator Fawell, 852. Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. On 652, I move that we refuse to recede and have a Conference Committee appointed.

PRESIDENT:

Senator Bloom has moved that the Senate refuse to recede from...the adoption of Senate Amendment No. 1 to House Bill 652 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries and the Secretary shall so inform the House. 653, Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. I move that we refuse to recede and call for a Conference Committee.

PRESIDENT:

All right. Senator Dudycz has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 653 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries and the Secretary shall so inform the House. 654, Senator Sommer.

SENATOR SOMMER:

Could we pass that for a minute?.

PRESIDENT:

All right. 657, Senator Schaffer. Senator Bloom.

SENATOR BLOOM:

I move that we refuse to recede and that a Conference Committee be formed.

PRESIDENT:

Senator Bloom has moved that the Senate refuse to recede from Senate Amendments 1, 2 and 3 to House Bill...657 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries. The Secretary shall so inform the House. 659, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, the House refused to concur with the Senate in the adoption of the amendments. So, I move for a...I ask for a conference.

PRESIDENT:

All right. Senator Geo-Karis has moved that the Senate refuse to recede from Senate Amendments 1 and 2 to House Bill 659, that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The motion carries and the Secretary shall so inform the House. 660, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, the House has failed to concur with amendments...Senate Amendments 1 and 2 to House Bill 660, and I request a conference.

PRESIDENT:

All right. Senator Geo-Karis has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 660 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. WBBM-TV has also requested permission to film and record the proceedings. Is leave granted? Leave is granted. 661, Senator Mahar.

SENATOR MAHAR:

Mr. President, I move that we refuse to recede from Senate Amendments 1 and 2 and that a Conference Committee be appointed for House Bill 661.

PRESIDENT:

All right. Senator Mahar has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 661, that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. Motion carries and the Secretary will so...shall so inform the House. Senator Schaffer, while you're up here, 663. All right. Senator Schaffer moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3, 4, 5 and 6 to House Bill 663 and that a Conference Commit-

tee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. If you'll turn over Supplemental No. 1, we're on 664, Senator Bloom. Senator Bloom.

SENATOR BLOOM:

Refuse to recede, get a Conference Committee.

PRESIDENT:

Senator Bloom moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3, 4 and 5 to House Bill 664 and that a Committee on Conference be appointed. All in favor of the motion indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 666, Senator Sommer. Senator Sommer moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 666 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The motion carries. The Secretary shall so inform the House. 668, Senator Sommer. Senator Sommer moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3 and 4 from House Bill 668, that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary will so inform the House. 669, Senator Bloom. Senator Bloom moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 to House Bill 669, that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The motion carries and the Secretary shall so inform the House. 670, Senator Mahar. Senator Mahar moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 670 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the

Secretary shall so inform the House. 672, Senator Bloom. Senator Bloom moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3, 4, 5, 6 and 7 to House Bill 672 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 674, Senator Weaver. Senator Weaver moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 679, Senator Schaffer. Senator Schaffer moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 to House Bill 679 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Finally, 683. Senator Davidson moves that the Senate refuse to recede from the adoption of Senate Amendments No. 1, 2, 3, 4, 5, 6 and 9 to House Bill 683 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Sommer.

SENATOR SOMMER:

Mr. President, on House Bill 654, I would move that the Senate recede from Amendments 2 and 5. These...these amendments reflect a higher pension payout than was agreed by the conferees.

PRESIDENT:

All right. Senator Sommer...page...Senate Calendar, Supplemental No. 1. Mr. Secretary. On the Order of Secretary's Desk Nonconcurrency is House Bill 654.

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SECRETARY:

House Bill 654 with Senate Amendments 2 and 5.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

These amendments reflected a higher payout of pensions than was agreed by the education conferees and, therefore, this takes it down to the sixty percent level agreed to them. We can accomplish that and pass the bill by removing these two amendments.

PRESIDENT:

All right. Senator Sommer has moved that the Senate recede from Senate Amendments 2 and 5 to House Bill 654. Any discussion? If not, the question is, shall the Senate recede from House...from Senate Amendments 2 and 5 to House Bill 654. 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, there are 52 Ayes, 1 Nay, none voting Present. The Senate does recede from Amendments 2 and 5 to House Bill 654 and the bill having received the required constitutional majority is declared passed. All right. We'll return to the regular Calendar. Now that we have the paper work completed, we'll return to the regular Calendar and begin on the Order of Conference Committee Reports. Senator Lenke, you're first, 275. On the regular Calendar, on the Order of Conference Committee Reports, page 3 on the Calendar, Conference Committee report with respect to House Bill 275. Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 275.

PRESIDENT:

Senator Lenke.

SENATOR LEMKE:



What this adds...Senate Bill 57 regarding combination of trust...subsidiaries. The Conference Committee Report No. 1 has the Senate recede from Senate Amendment...No. 1 but inserts that the amendment as part of the text of the report. Senate Amendment No. 1 permits a trustee to operate a partnership business as part of a trust without being personally liable for actions other than tort actions or actions whether...where it does not disclose it's trust capacity. I think it's a good amendment. I ask for its adoption.

PRESIDENT:

Any discussion? Senator Lemke has moved the adoption of the first Conference Committee report on House Bill 275. Is there any discussion? Senator Sommer. Oh, your light was on. Okay. All right. If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 275. 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, there are 57 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 275 and the bill having received the required constitutional majority is declared passed. Mr. Secretary, on the order...on the Order of Conference Committee Reports, Conference Committee report on House Bill 431. Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 431.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I move that the Senate accept the Conference Committee...first Conference Committee report on House Bill 431.

PRESIDENT:

All right. Senator Maitland has moved the adoption of the Conference Committee report on House Bill 431. Senator Kelly.

SENATOR KELLY:

Mr. President, I'd appreciate an explanation of what that Conference Committee report is.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

I...I apologize, Senator Kelly, that puts the bill back in the...in...in...in the position it was in when it left the Senate exactly. It's...it sets up a mechanism for appointing the DuPage County Fair Board.

PRESIDENT:

Any further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 431. 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, there are 57 Ayes, no Nays, none voting Present. The Senate does accept the Conference Committee report on House Bill 431 and the bill having received the required constitutional majority is declared passed. Senator Lemke on 627. Mr. Secretary, on the Order of Conference Committee Reports, Conference Committee report on House Bill 627.

SECRETARY:

Conference Committee report on House Bill 627 was passed out. We now have a corrected first Conference Committee report on House Bill 627 which has also been passed out.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this does is amends the Criminal Code and deletes

all of the bill and reinserts the properly engrossed copy of the bill as amended in the Senate. I think it's a good...Conference Committee, ask for adoption.

PRESIDENT:

Any discussion? Senator Bloom.

SENATOR BLOOM:

Question of the sponsor. Is there a reason why Senator Sangmeister's signature does not appear on this?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

No,...no not...no reason at all; apparently, the staff didn't get the signature.

PRESIDENT:

Any discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 627. 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, there are 55 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 627 and the bill having received the required constitutional majority is declared passed. 893, Senator Friedland. On the Order of Conference Committee Reports, bottom of page 3, House Bill 883, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 883.

PRESIDENT:

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I urge that we adopt this Conference Committee report. Your...the Calendar is...incorrect...regarding this

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second sentence. The...the original bill 883 amended the township law and required the board of trustees requiring any...set forth that is reasonable, now just...is in the bill, that's the original bill. The second sentence has been stricken and we've added language to permit DuPage and Lake County to levy special assessments where construction of repair of sidewalks and street lighting and traffic control devices and additionally language to put Cook County in the Township Open Space Act...to include Cook County in that Act, and I urge your adoption.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 883. 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, there are 46 Ayes, 9 Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 883 and the bill having received the required constitutional majority is declared passed. Senator Maitland on 1037. Senator Holmberg on 1039. On the Order of Conference Committee Reports, top of page 4, House Bill 1039. Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1039.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Yes, House Bill 1039 with the first Conference Committee report deletes everything after the enacting clause and inserts the provisions of Senate Bill 723 which was our asbestos legislation. It sets dates for corrective action and so forth, and I would like to defer to Senator Berman, who was the sponsor of 723 to further explain the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. As Senator Holmberg indicated, what is...House Bill 1039 has now got the elements of Senate Bill 723 which dealt with the problem of asbestos in our schools. Ongoing negotiations have been conducted since the beginning of this year, and the bill as it sits before you and which we are asking you to concur in provides for the elements in which the Department of Public Health may issue rules and regulations regarding asbestos abatement on or before December 1st of this year. It sets up the requirements for the department to prepare a list of contractors who would be eligible to perform the asbestos removal, regarding the removal of these things from the schools. There is a...there has been ongoing discussions regarding three areas which have been deleted from the bill totally, and those three areas are a bond authorization which was in the bill when it left here but has been removed. Secondly is a...authorization regarding a formulary for reimbursement to schools, and the third is a question as to insurance availability for the contractors that do this work. All three of those issues have been removed from the bill. Because of ongoing discussions with the insurance industry and the Bureau of the Budget, they will not be addressed at this time, we will be addressing that in the Fall and that still gives us time to rev up and to perform the inspections and issue the rules and regs. which is all that this bill presently does. I'd be glad to respond to questions and ask for your affirmative vote on Conference Committee Report No. 1.

PRESIDENT:

All right. Senator Holmberg and Berman have moved the adoption of the Conference Committee report on House Bill 1039. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senator, I...I was interested in the last part of your...remarks in particular. We are...we are establishing procedures here for correction of the asbestos problem in the schools. I know that there is out there a terrible lack of anybody willing to write the insurance coverage for these contractors, and what is your solution to that problem? We're just going to delay the whole thing, is that what you're saying here?

PRESIDING OFFICER: (SENATOR DEPUZIO)

Senator Berman.

SENATOR BERMAN:

...sir...yes, sir. Senator Schuneman, we have been...we have had meetings with insurance industry representatives and the director of the Department of Insurance. It is their joint suggestion to do what we are doing, remove any question or any addressing of that problem. The National Association of Insurance Commissioners has this on their agenda for their summer meeting. Hopefully, with the industry, NAIC, we will be able to come back. They're very aware of the problem, they're...trying to find a solution, nobody was...able to do so in these closing days and so we've removed any reference to insurance in the bill.

PRESIDING OFFICER: (SENATOR DEPUZIO)

Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 1039. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 52, the Nays are 1, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 1039 and the bill having received the required constitutional majority is declared passed. All right. Senator Maitland is on the Floor now.

House Bill 1037, Mr. Secretary. 1-0-3-7, House Bill.

SECRETARY:

First Conference Committee report on House Bill 1037.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. I move that the Senate reject Conference Committee Report No. 1 on House Bill 1037 and let me explain why. Senator Berman and I talked about this last evening and some language that he and I were both concerned about was left out of that first report and, therefore, I would wish to reject the first Conference Committee report and ask that a second Conference Committee be selected please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...procedurally, we...we've got to dump this Conference Committee report so the...Senator Maitland.

SENATOR MAITLAND:

I...I made the motion initially. Yes, I'm...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we've always taken the...we've always taken the vote in the affirmatives and request that the members to...all right. Senator Maitland has moved that the Senate do not adopt...do not adopt the first Conference Committee report on House Bill 1037. Is there any discussion? I assume Senator Maitland is requesting a negative...Senator Berman.

SENATOR BERMAN:

My...my question is a parliamentary one. Wouldn't it be proper to move to adopt and everybody vote No? I think that's the way we've done it, so if I might suggest that the proper motion is do adopt but we're urging a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We've...we have always done it that way but I was

responding to the request of Senator Maitland. Now...so let's get it straight. Senator Maitland, you want to restate your position.

SENATOR MAITLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would accede to the wishes of Senator Berman, I would suggest that...I would move that the Senate...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Vote No.

SENATOR MAITLAND:

...adopt Conference Committee Report No. 1 to House Bill 1037 and urge you all to vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...the question is, shall the Senate adopt the first Conference Committee report on House Bill 1037. Those in...oh...discussion? Senator Welch.

SENATOR WELCH:

Well, could I ask a question of the sponsor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, absolutely. Senator Welch.

SENATOR WELCH:

Senator Maitland, when you said there's language in there you don't like, is it language that was incorrectly written or is it something in the Conference Committee report you disagree with?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Senator Welch, when this bill was heard in committee, you may recall, it was among other things putting the circuit court back into the...to the truancy issue. It's my understanding that when it went to the...to the House, there were those who did not want the circuit court, the County of Cook involved. They



have other means to do with...deal with truancy, and I remember and go back to...oh, Senate Bill 623 when this was first taken out. We had that problem downstate and we feel strongly that the circuit courts should be in downstate, and that's what we're attempting to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, maybe you feel that way but I don't. In fact, in committee I was one of the ones who raised the questions about the circuit courts getting back in. What...as I recall the bill in committee, the testimony from the judge sitting in the witness stand was that under the bill that we had before us, we could end up putting truants in jail for not...for being in contempt of court. There's a little hocus-pocus that goes on in the court system, you don't arrest a kid and put him in jail for being a truant. What we do is we have him under the court supervision and then when he doesn't listen to what the judge says or he doesn't show up in court, then the judge can put him in jail, and there...as I recall, there wasn't any segregated facilities in many of these jails. In Putnam County, in my district, we don't have any segregated jails. You can have a hardened criminal in the same jail with a truant. Now, you are trying to take the provision out that keeps the circuit court out of the system. Is that what you're saying? You want a second Conference Committee report that says the circuit court could be back in?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Yes, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, then, I would urge us to adopt Conference Committee Report No. 1. It seems to me that we shouldn't be making criminals out of kids who don't attend school. I think that that may be a little bit harsh and what you're going end up doing is, eventually, in some of these...cases downstate in particular, you're going to have judges putting kids in jail. I've got no doubt about that and I don't think anybody else here does either. We all have read stories about some...some judges, either campaigning for higher office or trying to be tough on crime showing the kids that they were going to be tough, and you're going to find one or two of them spending the night in jail. So I think we should vote Yes on this, not No, and I would urge folks on this side of the aisle to vote Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Maitland may close.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I'm a little bit disappointed with the explanation of Senator Welch. There are a number of circuit districts across this State that with their juvenile judge have worked very diligently with truant officers in schools and with the parents to attempt to resolve the truancy in the...in the different high schools. It is a very serious problem. When we passed Senate Bill 623 a couple of years ago, every student who wanted to be truant knew that after January 1, there would be no mandatory attendance in Illinois and that's where we are today, Senator Welch, whether you know that or not, we do not have mandatory school attendance any longer in Illinois. Now, it's fine to accept the fact that 623 attempted to deal with the issue through...through crisis intervention centers in...in the

various counties and I understand that. The City of Chicago, that was very proper and probably very correct, but in downstate we have a different situation, a totally different situation, someone has to be in charge. In my circuit we have a juvenile judge who has addressed this issue in a very professional way. Young people who are truant have to understand that there's a law to abide by, and it's the exception rather than the rule when they put the child in jail, but they work with them forcing them to understand that in life there are laws that you have to follow. And as we are today and even in your county, Senator Welch, we don't have crisis intervention centers to deal with this problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...

SENATOR MAITLAND:

...I believe this is reasonable and I would, once again, urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We...the gentleman to close. Senator...Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Do...Senator Maitland, do I have it right, if I want to concur in Conference Committee report...if I want to agree with Senator Welch, I would vote Aye and if I want to oppose you...I mean, to oppose you and then...and to join you, I'd vote No? Okay. Well, I want to be with Senator Welch, I agree, these truants don't belong in with...hardened criminals and that could occur which we did have opposition in our committee as you well know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR ROCK:

Well, thank you. I rise to agree with the sponsor and I

think this point that was made can well be argued on a second Conference Committee when the conferees meet. The fact is, we from time to time or virtually all the time are in a position to honor the request of the conferees, and if they can't agree, they dump the first Conference Committee and try it over and that's all the sponsor is asking to do. I urge support for Senators Berman and Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR WELCH:

Well, I...I raise to...rise to object to the sanctity of a Conference Committee that I certainly had no part in and in committee it was Senator Berman's bill, and Senator Maitland and Berman have worked this out, that...that's fine, but I don't think that we should have to swallow the Conference Committee report whole without getting a chance to discuss it and debate it...just because the Conference Committee, two of the members disagree. Apparently, there were several other members who signed this report, at least six out of ten, and if these two members here didn't like it, it seems to me, they're in the minority. So I don't see why we should go with them, and...and, obviously, when this gets over to the House it's not going to be under the guise that, well, we'd like to go around with the Conference Committee members from the Senate. It's going to be under the guise that...hell, the Senate rejected keeping the circuit courts out of the juvenile justice process and that's not what this vote is. This Conference Committee report isn't going to come back the same way, it's going to come back with the reverse. They're going to get the circuit courts into juvenile justice and the truancy system, and I don't think we should do that and that is a very important issue here. It's not a procedural one whether we go along with Conference Committee members or not...if we want to go along with Conference Committee mem-

bers, let's go along with the six who signed the Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Davidson, what's your point?

SENATOR DAVIDSON:

A point of order. What...is the motion before the House by Senator Maitland to move to nonconcur...what is the motion before the House?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The motion by Senator Maitland is to...that...is to have the Senate adopt the first Conference Committee. His position, however, is that...should that motion fail, he would request a second Conference Committee. Senator Davidson.

SENATOR DAVIDSON:

And did he, as sponsor, make a request for us not to concur? Is that correct, even though the motion was to adopt?

PRESIDING OFFICER: (SENATOR DEMUZIO)

That is correct.

SENATOR DAVIDSON:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...all right. Senator DeAngelis, we've...now that the sponsor has closed, we are...Senator DeAngelis.

SENATOR DeANGELIS:

Well, just a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, sir.

SENATOR DeANGELIS:

Since my bill was mentioned in debate, I do want to point out...and I have the greatest respect for John Maitland, I also have the greatest respect for Judge Witty from Bloomington, but the results don't indicate what was men-

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tioned. Truancy, in fact, has gone down. People have taken a more active interest when the juvenile court got in because then they had to do something about it. I agree with Senator Maitland that McLean County was, in fact, an effective program but one county does not a truancy program make, and what we're talking about here is much more than McLean County and I'm going to support the Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Maitland, I think you probably...advise you to close a second time if you like. All right. The question is, shall the Senate adopt the first Conference Committee report on House Bill 1037. 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 13, the Nays are 39, 1 voting Present. The Senate does not adopt the...the Conference Committee Report No. 1 to House Bill 1037 and the sponsor requests that a...a second Conference Committee, and the Secretary shall so inform the House. House Bill 1103, Senator Lemke. 1103? 1279, Senator Nedza. Conference Committee reports, House Bill 1279, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1279.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Seth Pearlman with the Associated Press has requested leave to take still photographs. Is leave granted? Leave is granted. Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Conference...the first Conference Committee report on House Bill 1279 as it appears before you now provides for an...indemnification clause for the mass transit systems. It increases the per diem for metro-east mass transit trustees.

It provides for fair demonstration programs under a grant through the Department of Transportation for security and mobility limited handicapped persons. There's a five million dollar cap. The program is to run from January the 1st, 1986 to December the 31st, 1986, and it also provides a yearly salary of ten thousand dollars for the Suburban Bus Board members and fifteen thousand dollars for its chairman. That is the content of the report and I move for its adoption. If there's any questions, other than that, your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 1279. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 3 voting Present. The Senate does adopt the first Conference Committee report on House Bill 1279 and the bill having received the required constitutional majority is declared passed. House Bill 1412, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1412.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I move we adopt this Conference Committee report but vote No on it. The reason being, it's already been rejected by the House. We want to put it back in a second Conference Committee so that we can put an effective date on it, and this is the only way we can do that. So I would ask that you vote No on the adoption of the Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? (Machine cutoff)...not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 1412. 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 12, the Nays are 40, 1 voting Present. The Senate does not adopt the first Conference Committee report. Senator Darrow has requested a second Conference Committee and the...Secretary shall so inform the House. 1445. House Bill 1-4-4-5, Mr. Secretary.  
SECRETARY:

First Conference Committee report on House Bill 1445.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate concur in Conference Committee Report No. 1. There are two provisions in the Conference Committee report; one of them is the same as Senate Bill 369 that left the Senate 50 to 6. That bill tried to address...under present law, the Department of Conservation security employees receive a higher benefit formula for retirement at age sixty. This provision allows them to take an early retirement without reduction of benefits. State police and other law enforcement personnel are eligible for the early retirement but DOC security employees are not. This just basically gives DOC security employees the same retirement benefits as any other law enforcement agency of the State of Illinois. The other provision was that of Senate Bill 81...was Senator Vadalabene's and it provides that State policemen who retire at age fifty-five under the early retirement provision are not eligible for automatic increases until they reach age sixty. This provision grants them the three percent yearly increase at age fifty-five and I would, once again, move for



the adoption of the report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. With the meetings pertaining to pensions, the agreement was that Senate Bill...I think it was House Bill 1132 handled by Senator Rock would be the vehicle which includes all the agreed items. This is, of course, not an agreed item. Senate Bill 91 failed in the Senate, that's the...the bill that was designed to allow the State police to get a cost of living increase at age fifty-five rather than the cost of living beginning...increases beginning at age sixty as it does now. That bill, as I recall, had a...an unfunded...an increase in the unfunded liability cost factor of about seven million dollars. The other one pertaining to correctional officers is a much more costly matter. The problem with what we're being asked to do here now is...that by piggybacking these two issues on one bill, we have an unfunded...we have an increase in the unfunded accrued liability of eleven...or fifty-five million dollars with an annual cost of eleven million dollars. Now these are numbers that were given to us by the State Employees Retirement System, and I have every reason to think that they are accurate numbers. What we're beginning here is what I think, is a move toward making all the State systems provide retirement at age fifty or fifty-five and then be giving the...begin giving the cost of living increases at that point, and I think...simply think it's much too liberal. The State is not properly funding its pension programs now and we shouldn't continue down this road. I would urge defeat of this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I just want to emphasize, if I might, the points that Senator Schuneman made. We're talking about a lot of money, fifty-five million dollars in accrued liability and eleven million dollars annual cost. That, I think, is enough to stop and make you pause and look at this particular bill. I ask a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I don't know what meeting Senator Schuneman attended but if it was the same meeting I was at, and we were duly designated by the President and Minority Leader of the Senate to attend these meetings and put all of these pension bills into two bills so that we can consolidate the benefits and agree on what we were about to do. Now, it's my understanding, that the Republican side of the aisle wants this bill as much as the Democratic side of the aisle. Now, if I'm mistaken, then so be it, but the truth is that the General Assembly Retirement System has a cost of living increase at age fifty-five. Now, if it's good for the General Assembly Retirement System, then it should be good for those people who put their life on the line every day to protect the citizens of the great State of Illinois, and as Senator Vadalabene just said, the General Assembly...especially when they're cruising down those highways. Ladies and gentlemen, this was an agreed bill, there's no reason...well, when I say that it was an agreed bill, I mean the conferees decided that...hey, look, do what you want. You don't want to run with the bill, don't run with the bill. That's not the issue, everybody seemed to think it was okay. Now, Senator Schuneman, you were at the same meeting I was at, the House members that attended that meeting were amenable to doing this in 1945. Now, if you're not amenable, so be it, I still think it's a good bill and we should run with

it.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDYCH:

I have a question for the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Dudycz.

SENATOR DUDYCH:

On page 5, Section B, line 18, it says, "For the purpose of this section, eligible creditable service." I understand the following: State policemen, firefighter, air pilot, special agent, investigator for the Secretary of State, conservation police officer, investigator for the Department of Revenue, mental health police officer and...and Central Management Services security police officer. Could you please elaborate what you mean by security employee of the Department of Corrections?

PRESIDENT:

Senator Luft. Senator Poshard, do you wish to respond?

SENATOR POSHARD:

Thank you, Mr. President. Yes, Senator Dudycz, I would respond to that. This is the third time, by the way, that we've debated this on the Floor now in regard to the security employees, and it's passed out of here by a sizable margin on two different occasions, so we're back with it again. Security employee are those employees which come into daily contact with prisoners behind the walls of the prison. Now, in my district alone, we have a sizable number of people that this applies to because we have so many prisons in my area. We're doing the same thing for security employees that we're doing for those other groups that you just mentioned because of the stress of the job. The early retirement annuity on the basis of the decision of this Body is granted because of the stress of the job. We have already granted this to Cen-

tral Management employees, security employees, to conservation police, the State policemen, none of which, in my estimation, have any more strenuous or stressful job than the people who go behind the walls of our State prisons every day to take care of our prisoners. Now those are the people we're talking about. We've debated it thoroughly on at least two other occasions. I ask for your favorable concurrence with this.

PRESIDENT:

Further discussion? Senator Schuneman. I beg your pardon, Senator Dudycz had not concluded. Senator Dudycz.

SENATOR DUDYCZ:

You haven't answered my question, Senator. I want to know what type of employees you're speaking of. Are you talking about janitors, kitchen employees? What type of employees...you want to include these peace officers?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Security employees by the definition that we ourselves have given those people in the past in this Body are those people who come into daily contact within the prison with the prisoners. The last two people which have been killed in the prisons of this State have been cafeteria workers. So those are people that are also put in their line. They're in there mingling with the prisoners every day just as the people who are armed within the prison.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Are we talking about including cafeteria people? Are there any others or just cafeteria people you're including in this legislation?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

I can only indicate as I have before the definition that we ourselves have given security employees. Those people who come into daily contact with the prisoners behind the walls of the prison.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I simply...I...this bill is going to be voted upon upon the merits of the bill and that's the way it ought to be. I have no problem with that but to suggest that this is in any way an agreed upon process is simply false. We agreed on the bills that would be included in Senator Rock's bill, House Bill 1132, but this was not one of those agreed measures. So it is not correct to say that it is.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

On...on page 5 of the bill, do I understand that the following people are...are already covered, for example, the State policemen, firefighters, air pilots, and that...and...et cetera? So the only thing you're adding here then is the...the security employees of the Department of Correction?...thank you.

PRESIDENT:

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, again, it's much parochial for me to arise

from...with Joliet and all the prisons, high security we got, but I know the problem with this bill has always been the definition of what employees are included under it. But it's been indicated by others...I don't care if you're a cafeteria worker or work in the library or where you are, you're exposed to these people and it's a risky business, and as I indicated to you before, when times are good, you can't even get people to take these jobs in these institutions. They certainly need this additional incentive to become a career employee for the State of Illinois, and I think we ought to quit stumbling around on this issue for the last time and put it on the Governor's Desk. I ask on behalf of all of those employees working in those institutions give this an Aye vote.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this Conference Committee report and there may be some parts of it you don't like, but those of you who have the pleasure or displeasure whichever way you want to sing of having one of those security facilities in your district...number of us do, the people who they're trying to put into this to have an opportunity for their retirement who have just as much stress as the person who is a guard and they don't carry a gun inside that prison. The only people who have a gun is the people in the tower, but as Senator Poshard said, the last three people killed were people working in the cafeteria who actually have more exposure to danger than a guard does because the prisoners are doing the work. They do have to have equipment including knives to prepare the food, they...that employee has a higher risk exposure to danger than some of the so-called correctional officers per se. I think this is a good move. It's some-

thing we need to do and I urge you to vote Aye.

PRESIDENT:

Further discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. We talk here and we...heard the word agreed and agreed process, I think we ought to go back a little bit. We do have a process that we have agreed on; in fact, all our rules call for our Senators to submit bills, they're assigned to a committee, we have the committee hearing, they come back to the Floor, we have the second and then we have the third and then we pass the bills, and this is what has happened to our pension bills this year. We went through our agreed process, they go over to the House and every one of our bills was tubed. That's a real fine agreed process that we all should follow. Now what happens, back comes one bill...one bill and now two bills covering all the pension questions and all the problems, but there wasn't anything agreed about this process whatsoever. I just think that just on the basis of the way the pension problems and the...questions have been handled this particular Session that that even deserves a real fine strong No vote.

PRESIDENT:

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

SENATOR LUFT:

Thank you, Mr. President. I hope we will address this on the merits, as was suggested by one of the earlier speakers. Their merits are, do you feel that someone who is an employee of a prison, a security guard, who puts himself in the line of danger every day should be treated equally with other security personnel? I think the merit exists and I hope you'll vote Aye.

PRESIDENT:

The question is, shall the Senate adopt the Conference

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Committee report on House Bill 1445. 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, there are 40 Ayes, 15 Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 1445 and the bill having received the required constitutional majority is declared passed. On the Order of Conference Committee Reports, House Bill 1517, Mr. Secretary. Senator Vadalabene, I'm sorry, for what purpose do you arise, sir?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Since Senate Bill 81 has been incorporated into House Bill 1445, I would move to have my name added as a sponsor of House Bill 1445.

PRESIDENT:

All right. The gentleman seeks leave to be added as a cosponsor of House Bill 1445. Without objection, leave is granted...Mr. Secretary, on 1517.

SECRETARY:

First Conference Committee report on House Bill 1517.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I...I move to adopt Conference Committee No. 1 on House Bill 1517. House Bill 1517 and its Conference Committee report has combined two significant pieces of county legislation, 780, which as you remember was the quarter cent sales tax which mandated that there must be property tax deferral if it were adopted and 1517, both of which have passed out of this Body and 1517, as you remember, is a streamlining of county government in that it combines eight operating rates into a new corporate levy without increasing the corporate rate for those combined funds above



what it was for any of the three classifications of counties. It also eliminates eleven levies that are no longer used. It has strong support from the Taxpayers' Federation, I'm sure you've been spoken to by them. It has had bipartisan support in the House where it has passed and Senator Etheredge and I are cosponsors here in the Senate. I would be happy to answer any questions if there are any.

PRESIDENT:

Is there any discussion? Any discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, just a reminder to everybody that you know what you're voting for here. This has got the quarter percent for the counties in it, which is an authorization to your county board to increase your local sales tax a quarter percent. If you vote for this, I really hope you think your county needs it.

PRESIDENT:

Further discussion? Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in strong support to...for House Bill 1517. I think the...the lead sponsor, Senator Holmberg, has explained the provisions very well. I think by voting Aye on this bill we have the opportunity to strike a blow for efficiency in the financing of...of county government. I don't think there's any question but counties...many of our counties around this State have faced an impending financial crisis. Some of them already arrived at crisis point in trying to fund the law enforcement and criminal justice systems. I think by...adopting the provisions of this Conference Committee report we have an opportunity to retain...or maintain the economic viability of county government. I

strongly urge an Aye vote.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, sir, thank you, Mr. President. Could I ask the sponsor a question?

PRESIDENT:

Sponsor indicates she'll yield, Senator Watson.

SENATOR WATSON:

Senator, there's...there's provisions in here for relief at the property tax level. What...how much relief are we talking about?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

We're talking here about, if you choose to adopt the quarter cent sales tax by a vote of county board, that you are mandated to reduce by three cents the corporate fund.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Is...is that the same as the original legislation then?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

The original had a twenty-five percent which basically did the same...thing when the corporate rate was twelve cents. We've changed it to three cents, so we're...we're still talking about the same amount but different phrasing.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

I...I missed that last...what did you say? We're talking about the same amount but different what?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

In the original bill...the corporate rate under that original bill was twelve cents and the wording was that it would be reduced by twenty-five percent, which would have been three cents. Now we are talking about reducing it by three cents.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, thank you, I appreciate you answering the questions and your consideration, but I...I'm going to have to rise in opposition to...to this particular proposal. I'm sure it's going to do the counties a great deal of good and the county government needs extra funding, there's no doubt about that, but I do think that if we're going to really approach the problem of...that I see it at the local level and that is in the area of property tax, and I just don't think there's enough property tax reform and revision and a lowering of the property tax at the local level. I...I think a No vote would be appropriate. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the motion to accept the Conference Committee report on House Bill 1517. This matter in the form of Senate Bill 780 has been debated at some length and passed out of this Chamber with a pretty healthy majority. I'd particularly like to point out to my colleagues from the County of Cook that while this bill is not directly applicable in that applies to the other hundred and one counties, it will ultimately be a benefit to us for

the reason that there will be less of a differential between the Cook County tax and the surrounding counties tax rates. I think this is a good idea, and for all the rhetoric we've heard to these many months about the distress of the counties we are finally affording them the opportunity to do something that's long overdue. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise to support this motion and, as you know, the metropolitan counties that have large population increases are enjoying those criminal problems and those legal problems...those court problems. Seventy percent of our budget in DuPage County goes for law enforcement and for our courts and this certainly will help in this area. Along with this, it mandates that the county board reduce the real estate rate, so there is a trade-off.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator...Senator Watson.

SENATOR WATSON:

Yes, sir, I apologize for rising a second time. How many votes does this take to pass?

PRESIDING OFFICER: (SENATOR SAVICKAS)

What...it takes thirty-six votes. Is there further discussion? If not, Senator Holmberg may close.

SENATOR HOLMBERG:

Thank you, Mr. President. I think that we all are very much aware of counties having been one of our earliest areas of government. Unfortunately, they have become the step-children of government as we impose more and more expense upon them while eating away at their tax base. This particular combination of two excellent pieces of legislation

that work better together is a step toward streamlining county government. It is going to bring counties into the twenty-first century. I think it will go down as something that we did over and above things that were done in a Constitutional Convention to recognize the times and to help counties in their time of need. I recommend its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The...the question is...Senator Netsch, state your point.

SENATOR NETSCH:

However, you feel about the bill, I think your ruling on the required vote was incorrect. It does not...the bill does not have an immediate effective date and there is no pre-emption involved, so it seems to me that it takes only thirty votes. Isn't that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, it has a effective date of January 1st, 1986. Since that is before July 1st of 1986, it would take thirty-six votes. On that question,...shall the Senate adopt Conference Committee Report No. 1 to Senate Bill 1517. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all vote who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 10, 1 voting Present. The Senate does adopt the Conference Committee Report No. 1 on Senate Bill 1517 and the bill having received the required constitutional majority is declared passed. For the record, I had indicated Senate Bill 1517, I meant House Bill...the Chair was in error. It was House Bill 1517 that...received the required constitutional majority and was declared passed. House Bill 1544, Senator Demuzio. House Bill 1977, Senator Schuneman. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I move that the Senate adopt Conference Committee Report No. 1. The Conference Committee

report simply...embodies the language that was in Senate Bill 141 under the sponsorship of Senator Rock. Senate Bill 141 was the bill that changed the terms of office for a variety of boards of State Government, frankly, in order to enable those people to...to get a pay raise. The boards affected are the Illinois Prison Review Board, the Illinois Racing Board, the Liquor Control Board, the Board of Elections, the Industrial Commission, the Human Right's Commission, Pollution Control Board, the Illinois Commerce Commission and the Civil Service Commission. Be happy to try to respond to any question. I move adoption of the Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 1977. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 9, none voting Present. The Senate does adopt Conference Committee Report No. 1 to House Bill 1977 and the bill having received the required constitutional majority is declared passed. House Bill 2276, Senator Etheredge. Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, I move that the Senate do adopt Conference...Committee Report No. 1 on House Bill 2276. This Conference Committee report amends the original bill which reduced the twenty-one-day waiting period for chronic runaways to provide that where one year has elapsed since the last instance of his having been taken into limited custody, the twenty-one-day waiting period would once more apply. So, I would move the acceptance of the Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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Is there discussion? If not, the question is, shall the Senate adopt Conference Committee report on House Bill 2276. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none...voting Present. The Senate does adopt Conference Committee Report No. 1 to House Bill 2276 and the bill having received the required constitutional majority is declared passed. Senate Bill 158, Senator Schaffer. Senate Bill 207, Senator Marovitz. For what purpose Senator Degnan arise? Senator Marovitz on Senate Bill 207.

END OF REEL

REEL #2

SECRETARY:

Senate...Senate Bill 207, there was a Conference Committee filed on that and the first Conference Committee report was withdrawn and we now are working with corrected first Conference Committee report on Senate Bill 207.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Senate Bill 201 is the gang crime package. We passed out about six or seven bills to the House due to the deadline. Several of those bills did not get called and they are now all embodied in Senate Bill 207. That is the gang crime package that passed out of here without opposition. It creates the safe school zones in and around school property and deals severely with the bringing of firearms, the selling of...the dealing of hard drugs in and around the schools. It deals with adults trying to recruit juveniles into the...into gangs. This is...as a result of hearings over six months in schools throughout the State of Illinois, we've seen statistics about the dropout rate and surveys that the...have been done that the major reason for the dropout rate has been gangs. This is our message to those gangs that we're not going to tolerate drugs, firearms, gang recruitment in and around the schools and I would solicit your Aye vote. And I want to also thank Senator Rock and Senator Sangmeister for their very hard work in putting this package together and Senator Barkhausen and Senator Kustra from the other side of the aisle of working very close together.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Sangmeister.



SENATOR SANGMEISTER:

Yes, just a word to let you know that we would...I would say that this is a real good step in the first direction. Obviously, you're not going to cure all the...gang crime problems with this series of bills but you can go home thinking that you made an effort and I think that's worthwhile. You should also be advised that the House has already concurred in this Conference Committee report, so upon our approval of it here, it'll go to the Governor and we'll be off in the right direction.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall the Senate adopt Conference Committee Report No. 1 to Senate Bill 207. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none. The Senate does adopt Conference Committee report on Senate Bill 207 and the bill having received the required constitutional majority is declared passed. Senate Bill 416, Senator Holmberg.

SECRETARY:

(Machine cutoff)...Conference Committee report on Senate Bill 416.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Yes, thank you, Mr. President. I move to adopt Conference Committee No. 1 on Senate Bill 416. This is...with the exception of the special fund utilization, this report is House Bill 1578 which we passed and has also passed the House. The only thing that is new in it is the provision that authorizes the clerk of the circuit court to maintain a special fund from which the county board shall authorize payments by voucher between board meetings to pay for in-service training. It basically is the bill that allows them to

charge thirty-six dollars once a year for child support and maintenance collection.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR WELCH:

The...the maintenance charge...and child support charge of thirty-six dollars a month from the respondent. Now, number one, you're assuming, aren't you, that the respondent is the noncustodial parent, number one; that may be a mistake. The a...petitioner in a divorce is not always the person who gets support of the children. The petitioner is just the person who files the petition for dissolution. It would seem to me that this is a fatally flawed right to begin with; and number two, I wanted to know if the annual fee of thirty-six dollars was a one-time shot on January 1 or if it's proportionate with each payment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

...in answer to the second part of your question, the fee is one time. It...it...the way it's worded now, it'll be once a year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, I...I think we should reject this report, number one. First of all, you're hitting a person who may only be paying ten to twenty dollars in child support a week is going to be hit with a thirty-six dollar fee; whether it's a millionaire or a pauper, they're going to be paying the same

thirty-six dollar fee. Obviously, there's very little equity as far as the individual paying is concerned. Number two, the paragraph says that the respondent is going to pay the fee of thirty-six dollars. So if the respondent is the wife and she receives custody of four children and the husband who is the petitioner who filed the petition for the divorce, he's paying the child support, but for some reason, it's the wife who has to pay the thirty-six dollars. This is obviously a drafting error, I would think, and I...I think that we should reject this report and at least try it over again and do it right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Yes, I've been informed that this version of the bill has failed in the House and I would like to take this out of the record at this time. Okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, why don't we just...vote it up or down?

SENATOR HOLMBERG:

All right, let's...let's vote it up or down, it won't have that much effect.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All right. The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 416. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 14, the Nays are 31, 1 voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. Would you request a second Conference Committee?

SENATOR HOLMBERG:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

SB 623  
C.C. Rept.

Senator Holmberg desires a second Conference Committee and the Secretary shall so inform the House. Senate Bill 449, Senator Rock. Senate Bill 623, Senator Coffey.

SECRETARY:

Senate...Senate Bill...the first Conference Committee report on Senate Bill 623.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I move to accept the Conference Committee Report No. 1 to Senate Bill 623. What this actually does, it...first of all, it authorizes counties to charge a township for assessing work if the township assessor fails to complete the assessment of the property in the township. This is the original part of the bill. We did strike in the Conference Committee the provision which would allow the taxes in that unit of government of township or townships not to be paid, so we did strike that...that part in the Conference Committee and added to a provision which provides that the townships of multi-township board of trustees may either enter into a contract with persons qualified by the law to do assessments at the cost no greater than the maximum salary. What has happened, in some cases the townships are forced to go to a special election to elect assessors. This just allows them to contract for that work to be done. The second provision amends the Local Government...Governmental Tax Collection Act which deletes the provision requiring the county treasurer to have...published a notification concerning the use of interest on collected but undistributed taxes. I'll be glad to answer any questions in regards to this Conference Committee report. If no questions, I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

...will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR DARROW:

According to our analysis, this report deletes the provision that requires the county clerk to reduce the tax rate of the taxing districts if they chose to receive the interest money. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Yes, that is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

I think we ought to look at this a little carefully. It would be my understanding, therefore, that if a unit of government earned interest on our tax dollars, they would benefit from that with no abatement in the taxes. I feel if they're going to earn the interest, that's kind of an added benefit to them and they ought to reduce our real estate taxes a little bit. Just take a careful look at that. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 623. 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 50, the Nays are 3, 1 voting Present. The Senate does adopt Conference Committee report on Senate Bill 623 and the bill having received the required constitutional majority is declared passed. Senate Bill 730, Senator

SB 824  
conf. comm. Repts.

Berman. Senate Bill 796, Senator Fawell. Senate Bill 834, Senator Keats. Read the bill, Mr. Secretary.

SECRETARY:

Senate bill...first Conference Committee report on Senate Bill 834.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What 834 contains is the original bill which was clarifying language from the commissioner, then House Bill 419 that was more commissioner of banking...more things he introduced, none of which seem to be particularly controversial and the old House Bill 1552 which is the rewrite of the Consumer Finance Act that was at one time controversial, was defeated on 3rd reading in the Senate, hasn't worked out, and it is my understanding that it is basically an acceptable form and...has no, you know, no particular opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate adopt Conference Committee Report No. 1 to Senate Bill 834. 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 adopt Conference Committee Report No. 1 to Senate Bill 834 and the bill having received the required constitutional majority is declared passed. Senate Bill 1091, Senator Lechowicz. Senate Bill 1132, Senator Rock.

SECRETARY:

First Conference Committee report on Senate Bill 1132.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As was referred to earlier by Senator Schuneman and then in a rather disparaging way by Senator Rupp, Senate Bill 1132 incorporates into one omnibus bill...twenty separate legislative proposals dealing with virtually every known pension fund...in existence in the State. It...it has been, I am told...and that is the reason I understand the philosophy from the House was that those governing bodies, that is to say, those who are responsible for the employer contribution or the governing board of the pension systems have, in fact, agreed in every instance to assume the liability and the responsibility for the payment of whatever increase benefit there is; the Chicago Teachers' Union, the Downstate Teachers' Union, the State employees and State universities, downstate police, downstate teachers, Chicago teachers, IMRF. In addition, it incorporates Senate Bill 337, Senator Barkhausen, to allow systems to invest in stocks quoted in the National Association of...Securities Dealers; Senator Geo-Karis' bill with respect to the forest preserve district employees, two of Senator Fawell's bills on downstate fire-fighters, Senator Netsch's Economic and Fiscal Commission reporting requirement, State Employees' Social Security Enabling Act from Senator Schuneman. And, frankly, I was part of the negotiations in the Governor's Office with respect to all of these, it was felt at that time that the bill that was earlier addressed with the security personnel and the State troopers was better left to itself. As far as I know, there is no objection to any of the above named provisions and I would urge the adoption of the first Conference Committee report on Senate Bill 1132.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, I simply rise to support Sena-

tor Rock's motion. There is a wide variety of...of bills and subject matter in this...in this bill, but basically, as Senator Rock explained, these are bills that were agreed upon by the Minority and the Majority in both the Senate and the House and the Governor's Office and I would urge support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 1132. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 2, 2 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1132 and the bill having received the required constitutional majority is declared passed. Senate Bill 1165, Senator Joyce.

SECRETARY:

First Conference Committee report on Senate Bill 1165.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I'd move to reject the Conference Committee report, the House has already done so and a second Conference Committee report is being circulated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt the Conference Committee Report No. 1 on Senate Bill 1165. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 17, the Nays are 15, 1 voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. Senator Joyce asks that a second Conference Committee be constructed.

PRESIDENT:

Senator Carroll on 1350. On the Order of Conference



Committee Reports, Conference Committee report on Senate Bill 1350, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1350.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As many of you may or may not recall, this legislation initially was to recodify without much controversy the Savings and Loan Act of the State of Illinois. One minor item developed and we needed the Conference Committee to take care of it. It basically says that the lending limits in Federal Law will apply to commercial loans and agricultural loans and allows for staggering terms of the board of directors, not that they must stagger, that the terms will, and I would move adoption of the Conference Committee Report No. 1.

PRESIDENT:

All right. Senator Carroll has moved the adoption of the Conference Committee report on Senate Bill 1350. Discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 1350. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1350 and the bill having received the required constitutional majority is declared passed. UPI has requested to take still photographs. Leave granted? Leave is granted. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President. I beg leave would you please be kind enough to register me as voting on Senate Bill 207 a

HB 704  
C.C. Repts.  
HB 269  
Conf. Comm. Rept.

Yes vote please. I was called from my desk, I'm so sorry.

PRESIDENT:

All right. The lady seeks leave to be shown as having voted in the affirmative on 207. Leave is granted. All right, we'll return now to supplemental Calendars and continue on Conference Committee reports. If you will take a look at Supplemental No. 1, there were two reports listed at the end of that; Senator Lemke has one, Senator Sangmeister has one. Supplemental Calendar No. 1. Then we will move to Supplemental Calendar No. 2. The bottom of page, Supplemental 1. It is printed on both sides and at the bottom of the second side there are Conference Committee reports, Conference Committee report on House Bill 269, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 269.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this...Conference Committee does is increases the Statute of Limitations for reporting construction defects from two to four years and decreases the Statute repose from twelve to ten years. This is a...a request by the Capital Development Board and the members of the construction industry. I think it's a good amendment and I...and there's no conflict. I ask for its adoption.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 269. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, 1 voting Present. The Senate does adopt the Conference Committee report on House Bill 269 and the bill having

received the required constitutional majority is declared passed...704, Senator...on the Order of Conference Committee Reports, House Bill 704, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 704.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, members of the Body. Senate Bill 704, for your recollection, was the bail bond bill that we sent out of here and the predetention hearing process that was contained therein. As you recall, there was an awful lot of discussion, an awful lot of concern by people here that we were putting that bill through without putting it through committee. I still thought it was a good bill, but when it got over in the House the expected result happened over there, the ACLU...thought the bottom had fallen out of justice, the counsel of lawyers thought we had turned the whole system of justice around the State of Illinois. So, what we have here without me going into detail is a very, very, very watered down vision of what went over there, but it's something. And if you want me to answer questions on it, I'll be happy to. Let me just tell you, there's nothing in here that's abhorrent to anybody. It is now approved by the Chicago Counsel of Lawyers and by the Chicago Bar Association, that shows you how weak it must be. I encourage your Aye vote.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 704. Those in favor will vote Aye. Those opposed will vote 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, there are 56 Ayes, no Nays, 2 voting Present. The Senate does adopt the Conference

HB 1769  
conf. comm. report.

Committee report on House Bill 704 and the bill having received the required constitutional majority is declared passed. Take a look now at Supplemental Calendar No. 2. Supplemental Calendar No. 2...the hour is now five-thirty, we will begin on Supplemental No. 2, then there are a couple of members who have a couple of things on the Calendar and we should be in a position to break for dinner. House Bill 123, Senator Dawson. House Bill 1641, Senator Maitland. House Bill 1769, Senator Philip. Supplemental Calendar No. 2, Conference Committee reports, Mr. Secretary, on House Bill 1769.

SECRETARY:

First Conference Committee report on House Bill 1769.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I do move that we do adopt Conference Committee No. 1 to House Bill 1769 and a compromise has been struck. This is the DuPage County Airport, it leaves the Fox Valley Airport Authority boundaries intact. It allows the president of the DuPage County Board to appoint five members that live within that boundary in the DuPage County part. It also allows every municipality that has...over five thousand people to make one appointment, that would be Geneva, Batavia, West Chicago and St. Charles. Also, it sets priorities for who uses the State airplanes. Now that was a suggestion from the House leadership, I have no problem with that. I'll be happy to read to you the priorities; the Governor, Lieutenant Governor, legislative leaders, Attorney General, Secretary of State, Comptroller, Treasurer, members of the General Assembly, agencies and department directors and the staff of those above. Be happy to answer any questions. I think it's a reasonable compromise and would

solicit your favorable support.

PRESIDENT:

All right. Senator Philip has moved the adoption of the Conference Committee report on House Bill 1769. Discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 1769. 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, there are 53 Ayes, 2 Nays, none voting Present. The Senate does accept the Conference Committee report on 1769 and the bill having received the required constitutional majority is declared passed. Senator Maitland, I know I...caught you off guard coming up from the education meeting. On the Order of Conference Committee Reports, House Bill 1641, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1641.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I move that the Senate adopt Conference Committee report to House Bill 1641.

PRESIDENT:

All right. Senator Maitland has moved the adoption of the Conference Committee report on House Bill 1641. Discussion? Senator Kelly.

SENATOR KELLY:

Senator Maitland, I know you got a very difficult schedule today. Would you please explain this...in some detail.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Again, Senator Kelly, I apologize for not explaining that. This puts the bill back in the same posture it was

when it left the Senate. There was a problem with an amendment that had been put on, it affected the Treasurer's amendment and we wanted to take that off and that's what this does.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

I...I'm still trying to figure out what the bill does. No more than twenty-five percent of the total average balance from all funds available is to be invested in short-term obligations. Is that all this bill does?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

That was the original bill, yes, Senator, and then there was an amendment put on by the Treasurer.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

And that amendment is now off? Is that what you're saying?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

No, that...that amendment is on, there was another amendment put on by the House that was not acceptable and we wanted to take that off.

PRESIDENT:

All right. The question is, shall the Senate adopt the Conference Committee report on House Bill 1641. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish. Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate

JB91  
C.C. R.

does adopt the Conference Committee report on House Bill 1641 and the bill having received the required constitutional majority is declared passed. 2434. On the Order of House Bills...on the Order of Conference Committee Reports is House Bill 2434, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 2434.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2434, of course, is the...one of the IDOT conveyance bills. There was an...an amendment placed on the bill that was technically incorrect. This places the bill back in the same posture it was when it left the Senate.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 2434. 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, there are 57 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 2434 and the bill having received the required constitutional majority is declared passed. Senate Bill 91. On the Order of Conference Committee Reports, Conference Committee report on Senate Bill 91, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 91.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Senate Bill 91 is the...mandatory guideline bill that's been the product of six months of work between the Department of Public Aid, all the women's groups in the State, the bar associations and everybody and agreed. It also passed out of here in House Bill 2431, 59 to nothing and passed the House a...!!! to nothing. The guidelines...the child support guidelines are intact, they are still mandatory. They...there is a rebuttable presumptions that the guidelines will be intact unless an express finding by the judge pursuant to certain relevant factors. There's also another provision in the bill that has been approved by the Catholic Conference that says...that encourages people to try and work out their marriage problems, and if there's a written agreement between the parties, if they try and go back together to work out their problems that would not total the time period and during the six-month or two-year time period. And I would ask for adoption of Conference Committee Report No. 1 to Senate Bill 91.

PRESIDENT:

Discussion? Senator Kelly.

SENATOR KELLY:

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

PRESIDENT:

Sponsor indicates he'll yield.

SENATOR KELLY:

Senator Marovitz, we had what I considered the...I...a no-fault divorce bill, the current one was two...two year's separation. Now, we defeated once before the proposal which made it six months. Is this...does it have anything in here that relates to that subject?

PRESIDENT:

Senator Marovitz.



SENATOR MAROVITZ:

Glad you asked that question, this has nothing whatsoever to do with that, doesn't change the time periods whatsoever. As a matter of fact, before putting this in the bill, I talked to the Illinois Catholic Conference and the archdiocese and they approved this...this provision of the bill. It doesn't...it's not the same bill that was defeated here and it has nothing to do with the time periods, it doesn't change that at all, and I did check with the archdiocese and the Catholic Conference.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Okay. Can you tell me what's the archdiocese signed off on? What is...what is that issue that they signed off on in more detail than just what you've just stated?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. All that says is, pursuant to the separation periods, if two people are...want to go back together and try and work out their problems and they sign an agreement between the parties that they're going back together for the purpose of trying to work out their problems, that the period that they're back together would not count against the separation period. Let me give you an example. If they were to be separated six months and they wanted to go back together and they went back together for a month to try and work out their problems and they both signed an agreement to do that, and then after a month, it didn't work out, that that would not count against the six-month period. Before this was put in here, I personally checked with and called and as...today, talked to the archdiocese and they said they had no problem with this because it, in fact,

encourages people to try and go back together and work out their problems.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Okay. Does that include both persons in this agreement or is it one person?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

It...it is a written agreement by both parties that they want to go back together and work it out.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor?

PRESIDENT:

He indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Marovitz, what's the effective date of this bill?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Immediate.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

So...if we pass this tonight, tomorrow morning any cases that are set in court are now under this guideline, is that what you're saying?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

As you know, it's not effective until the Governor signs

it, and I'm sure that won't be until some time probably in August.

PRESIDENT:

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, yes, rather rapidly. You stated that the guidelines are all in there and admittedly, you know, you look at a Conference Committee report, you can't read it intelligently at this point. But as I see it, everything is lined out, there's lines through all of the guidelines. I call your attention to...what, page 20, they're all lined out...page 9, they're all lined out. Maybe they're reinstated somewhere, I...I...like I say, you know, and they're all lined out on page 3? Where are they in this thing?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

...the support guidelines are all one hundred percent in the bill, nothing has been changed whatsoever. The...the support guidelines...the child support guidelines are all in the bill exactly as it was originally, exactly as it passed the...the Senate 59 to nothing and passed the House 111 to nothing. I think it's on page 11.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, the bill as it now stands says, in effect, that if the party seeks to cohabit, they can by a written agreement, both parties...attempt to reconcile. But the period that they're trying...that they're using to reconcile, let's say they go back for three months, that does not...told us it...it...it stays...the time is there. In other words, if...that three months counts, actually counts as time of separation. Am I

correct, if I can address my comments to the sponsor?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

That's correct. If there's a written agreement between the parties that they want to work out their problems and work out their marriage and go back together and there...and there is that written agreement, stipulation by both parties, that the time they're back together would not total the...the running of the time periods.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Be...in the prior bill that we did not support in...in this House, it was just one party who signed, am I correct, Senator? In the prior bill, there's only one party who had signed instead of both, is that correct?

PRESIDENT:

Senator...

SENATOR GEO-KARIS:

One party had to testify, not both.

PRESIDENT:

...Senator Marovitz.

SENATOR MAROVITZ:

That is a completely different issue, that has nothing whatsoever to do with what is in this bill. This has nothing to do with six months or two years, has nothing to do what is in this bill.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I do not object to it. I think that this...at least both parties have to sign a written agreement and I feel more com-

fortable with it. I might say that there are guidelines for child support and they are...can be found on...on page 11 of the Conference report. The only thing I believe this bill...other thing has done is taken out the guidelines for maintenance for the spouse, and I believe I'm correct on that.

PRESIDENT:

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

SENATOR MAROVITZ:

I would just ask for an affirmative roll call. This bill did pass before 59 to nothing and 111 to nothing. No...

PRESIDENT:

Question is...question is, shall the Senate adopt the Conference Committee report on House bill...Senate Bill 91. 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 49, the Nays are 5, 1 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 91 and the bill...and having received the required constitutional majority is declared passed. 114, Senator Joyce. On the Order of Supplemental Calendar No. 2, Conference Committee Report, Senate Bill 114, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 114.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This is the under-ground...storage tank on...for the petroleum people. The conference has been worked out now between the petroleum council and the petroleum marketers, and this dealt with the

fee that was to be charged, the registration fee for underground tanks, that has been taken out now unless the...they don't have to pay a fee or a tax until the USEPA requires it. So, anyway, it's all worked out.

PRESIDENT:

Discussion? Senator Rigney.

SENATOR RIGNEY:

Wonder if the sponsor might yield?

PRESIDENT:

Indicates he'll yield, Senator Rigney.

SENATOR RIGNEY:

I was looking in Section 5, it appears that those that would still be covered by a fee...I believe, if my recollection was correct, it was going to originally be a five dollar fee and now it appears they've left it up to the fire marshal to...to determine the fee by rule. Is that correct?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, that is correct. If the fire...if the Feds. don't put it in, then the fire marshal would have to do this.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, that part I understood, but I was kind of wondering how the petroleum industry agreed to setting the amount by departmental regulation. I would suggest, you know, they could...the sky is the limit when you give them the...the chance to do it by rule.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Well,...they'll just have to determine that at the time.

There is no...they didn't know what they could set it at.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

Well, let me say, Mr. President, that I stand in favor adoption of this Conference Committee report. Senator Savickas and I and several others have met with all concerned and it has been understood that if there's no money coming from Federal Government in the future, we'll be back next fall, next spring and we can establish some reasonable fees that will satisfy everybody. So I would urge adoption.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 114. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 2 Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 114 and the bill having received the required constitutional majority is declared passed. 1437, Senator Lemke. On the Order of Conference Committee Reports, Senate...Senate Bill 1437, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1437.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does is it keeps the original language about prohibiting a person from conducting home improvements under...any name other than the person's real name, an assumed corporate name or assumed business name. Also incorporates Senate Bill 694, which is Senator Topinka's bill, which passed the Senate 58 to 1. I think it's a good

Conference Committee, I ask for its adoption.

PRESIDENT:

Any discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 1437. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1437 and the bill having received the required constitutional majority is declared passed. If you'll turn to page 4 on the regular Calendar...page 4 on the regular Calendar...we have House Bill 1544, Senator Demuzio. Senate Bill...158, Senator Schaffer. Both these gentlemen were involved in an earlier official meeting. Bottom of page 4, Mr. Secretary, on the regular Calendar, Conference Committee report on House Bill 1544.

SECRETARY:

First Conference Committee report on House Bill 1544.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Conference Committee Report No. 1 to...to House Bill 1544 includes the provisions of the original bill, and it's my understanding that it's the original bill that is contained in Conference Committee Report No. 1 only which would require new municipal waste incinerators to use their best available control technology to control emissions. The...House Bill 1544 passed the Senate 59 to nothing and this report contains only Senate Bill 1544, and I would be happy to respond to any questions if there are any.

PRESIDENT:

Discussion? Any discussion? If not, the question is,



shall the Senate adopt the Conference Committee report on House Bill 1544. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 1544 and the bill having received the required constitutional majority is declared passed. Top of page 5, on the Order of Conference Committee Reports there is a Conference Committee report on Senate Bill 158, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 158.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAPPER:

Mr. President and members of the Senate, the first Conference Committee...we had to send this particular bill to a conference because of a glitch we discovered. That has been corrected and...and the basic provisions are very similar to the House amendments and we primarily established procedures for disposing of property should a district be created and then be dissolved, and we require that the Attorney General enforce the dissolution procedures. I don't think there's any opposition, be happy to answer any questions.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 158. Those in favor vote Aye. Those opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does adopt the Conference

Committee report on Senate Bill 158 and the bill having received the required constitutional majority is declared passed. All right, we've had a request to go back to bills that were...have been skipped over the last couple of days. On the Order of Secretary's Desk Concurrence, Senate Bill 206. On the Order of Secretary's Desk Concurrence, page 2 on the Calendar, Senate Bill 206, Mr. Secretary.

SECRETARY:

Senate Bill 206 with House Amendment No. 1.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, this is the last bill in the gang crime package. We were holding this for whatever purposes were necessary. It does exactly what the Calendar says except the House, once again, wanted to reduce it from a Class 1 felony to a Class 3. Better we take something than nothing. So, my motion will be that we concur in House Amendment No. 1 to Senate Bill 206.

PRESIDENT:

Senator Sangmeister has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 206. 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, there are 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 206 and the bill having received the required constitutional majority is declared passed. On the Order of Secretary's Desk Concurrence, Senate Bill 551, Mr. Secretary.

SECRETARY:

Senate Bill 551 with House Amendments 1 and 2.

PRESIDENT:

Senator Lenke.

SENATOR LEMKE:

I move to concur with House Amendments No. 1 and No. 2. House Amendment No. 1 replaces the system of jail good behavior allowances with...the same system we have for Department of Corrections that they...for days system. It also incorporates Senate Bill 335, Senator Mahar's...bill, which passed the Senate 59 to...nothing in regards to...defining arresting authority and as to providing medical and hospital services to persons held in custody allowing the counties and the...arresting authorities to be reimbursed from the insurance if they have any. I ask for its adoption.

PRESIDENT:

Any discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I just want to point out what we're doing here which may be justified but it certainly, I don't think, should go without attention that...what apparently this bill is mandating is that prisoners in county jails will under this bill be required to have given to them a day off of their sentences for each day of so-called good behavior. Granted, this is currently the practice for the Department of Corrections but whether we want to be in the position of mandating that it also shall apply to misdemeanants in county jails is another question. For that reason, I...I call this aspect of the bill to your attention and...and suggest that some of you might want...might want not to...to support it for that reason. Thank you.

PRESIDENT:

Discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

A question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Joyce.

SENATOR JEREMIAH JOYCE:

Leroy, are you working on behalf of the people in your district with this legislation?

PRESIDENT:

Senator Lenke.

SENATOR LEMKE:

I believe so. We're talking about making a system we have presently...putting and adopting a system we adopted through Department of Corrections...we're talking about misdemeanors, we're not talking about felons. Right now, a...Class IV felon can get out sooner in jail than a Class A misdemeanor, and I think we should at least, before we get a Federal suit against us...do something to remedy it...we're putting the same system in both...in both...both systems of corrections.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

A question for the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Dudycz.

SENATOR DUDYCZ:

Let me get this straight. If there's an individual that's sentenced to the Cook County Jail for a hundred and twenty days for a misdemeanor, according to your proposed legislation, if he spends sixty days without beating anybody up or...or just for being a good little boy in the county jail, he'll be able to get out?

PRESIDENT:

Senator Lenke.

SENATOR LEMKE:

I think there's a...a some type of mistake in here and I ask that we ask for another Conference Committee.

PRESIDENT:

AB 658  
Concurrence

Well, your motion would be if you wished to move the bill along to nonconcur with House Amendments No. 1 and 2. Senator Lemke.

SENATOR LEMKE:

Okay, to nonconcur.

PRESIDENT:

All right, Senator Lemke moves to nonconcur in House Amendments 1 and 2 to Senate Bill 551. Those in favor indicate by saying Aye. Opposed May. The Ayes have it. The motion carries and the Secretary shall so inform the House. On the Order of Secretary's Desk Concurrence, Senate Bill 893, Mr. Secretary. I beg your pardon, I skipped Senator Netsch and I shouldn't do that ever. We've called this bill twenty-six times in the last four days, so this is time number twenty-seven. On the Order of Secretary's Desk Concurrence, Senate Bill 658.

SECRETARY:

Senate Bill 658 with House Amendment No. 1.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would move that the Senate concur in House Amendment No. 1, and the reason why we skipped it in the past is that we wanted to see whether there was any other legislative action to take place with respect to the subject of lights in Wrigley Field. The only other piece of legislation that was reasonably alive was House Bill 1934 with Senator Philip's amendment on it and that is now effectively dead, dead, dead. This bill would do what we had earlier proposed and what the people of our community had suggested. It...it allows an exception to the State Noise Pollution Statute which had previously been adopted in this General Assembly for post-season championship games for which temporary lights are installed. The thing that I would point

out is that there is no other legislation now that is available if the Cubs make it into the play-offs and into the World Series, as we hope they do, this will allow the use of lights, if necessary, for night games for that purpose. The...our community feels that that is a...a reasonable offer. They have authorized us, their representatives to pursue this. I...I'm aware of the fact that the Cubs...or at least Dallas Green has occasionally said we don't want temporary lights, but this is exactly what...several years ago, they asked us to do, to allow lights...temporary lights so that they could play post-season games. We are now saying, we are willing to do that. We think it would be very unfortunate if the Cubs do make it into the play-offs for the games to be played elsewhere as the leagues threatens to require. For that reason, and because it is the only form of relief that is now available for the Wrigley Field problem, I would solicit your concurrence in Amendment...House Amendment No. 1 to Senate Bill 658.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Zito.

SENATOR ZITO:

At the appropriate time, Mr. President, I move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There are three speakers, Senator Marovitz, Senator Maitland, Senator Philip. Senator Zito has moved the previous question. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As you know, Dallas Green was down here about two weeks ago, talked to us in regard to temporary lights and there are problems with temporary lights, Senator. The problem is; number one, it is extremely expensive; number two, temporary lights create shadows. I didn't realize it but

when you have a pitcher that throws a ball ninety to nine-five miles an hour, you can't allow for any type of shadow whatsoever or they lose the ball. The White Sox...I mean, the Cubs organization has said that it is unacceptable, they do not want temporary lights, and I suggest we follow their wishes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Well...well, thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. A question of the sponsor if she'll yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Maitland.

SENATOR MAITLAND:

Senator Netsch, does...does the language in...in...in...does the language specifically identify post-season games?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Yes, it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

...it would seem to me that in the spirit of...of keeping language as brief as we possibly can, the fact that...that post-season games might, in fact, be a moot issue, we might exempt that part of the...of the language from your bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Those...those who are fans of the Chicago Cubs and have been for...since the last time they won a pennant and a World

Series, never give up, they will be in the play-offs, they will be in the World Series.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. Just...also in referring to...Senator Maitland. About a year ago, just before the All Star break, the White Sox who had won in 1983 were in first place at the All Star break, finished only about twenty games out of first place; so, half a season does not a season make, remember that. But I...I...to the...to the bill and to the...to the motion. This is the General Assembly's last opportunity to ensure that the World Series in play-off games when...when all the players come back and the Cubs are healthy again, if that be the case in the fall, it's our last opportunity to ensure that those games will be played in the City of Chicago, in Wrigley Field, in the State of Illinois and that the tax revenues that will be generated by those post-season games will inure to the benefit of all the citizens of the State of Illinois. If we do not pass this, we are saying, we don't care if the post-season games are moved to St. Louis. And while Senator Maitland might be a St. Louis Cardinal fan, I doubt that he'd want the tax revenues to go to the benefit of the citizens of the State of Missouri as opposed to the citizens of the State of Illinois. This is our last opportunity. If there is some compromise to be reached between all the parties involved as has been requested, that can occur...occur in the time after we adjourn. And we can always come back here after that in the fall, after the compromise has been reached, if one has been reached, and deal with that. The fact is, the issue that we have to deal with now is to make sure that the World Series and play-off games remain at Wrigley Field, in the City of Chicago, in the State of Illinois. This is our last oppor-



tunity. Let's not go home and say, we don't care if you move those games. If you...if you want those games played here, vote to concur and vote for Senator Netsch's motion. That's the most important thing. Then we can deal with the question of permanent lights if there is an agreement reached by all parties involved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Chew, for what purpose do you arise? Senator Chew.

SENATOR CHEW:

Am I procluded from speaking?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is...is there...is there leave to have Senator Chew to have his two minutes? Senator...leave is not granted. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Just a question of the Chair. Is this a preemption of home rule, and if so, does it require thirty-six votes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Bill 658 has an immediate effective date on House Amendment 1 and will, in fact, require thirty-six votes for Senate passage. Further discussion? Senator Netsch may close.

SENATOR NETSCH:

Thank you. Just briefly to address the temporary lights issue. I...I am aware of the fact that Dallas Green has made that statement. I can only tell you that I have spent many hours or at least many minutes on the phone with those who know the business of lights. They require...they have...the people who do this have installed temporary lights in a lot of places, and what they have told us is that the television people require more candlepower than the...the game of baseball itself. The cost is not very high at all. They do one time, one game, at about sixty to eighty thousand dollars and

that is all that it will require. It seems to me that the real question is, if the Cubs make it into the play-offs, as we hope they will and believe they will, this is the only opportunity that this General Assembly will have to allow temporary lights to be installed so that those games can be played where they ought to be played in Wrigley Field. I strongly urge your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first...all right, we are...we are on concurrence. All right. The question is, shall the Senate concur with House Amendment 1 to Senate Bill 658. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 24, 2 voting Present. The Senate does not concur with House Amendment 1 to Senate Bill 658. All right, the motion fails and the Secretary shall so inform the House. Senator Etheredge on 893. Senate Bill 893.

SECRETARY:

Senate Bill 893 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, I wish to make separate motions on House Amendments 1 and 2. On House Amendment No. 1, I move that the Senate concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you want to explain the amendment, Senator?  
All right.

SENATOR ETHEREDGE:

This is a...largely a...a technical amendment put on at the request of the Department of...of Revenue. Generally, the amendment is in the...you...you could characterize this

being pro-taxpayer in...in nature, and...and as I say, it is a...it is fairly long and technical...amendment. I'll be glad to respond to questions, but...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 893. Those in favor will vote Aye. Those opposed will...Senator Rock.

SENATOR ROCK:

My understanding...or was I misinformed? This was to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

...what I proposed to do, Senator Rock is to concur with House Amendment No. 1 but nonconcur in House Amendment No. 2 where there are some technical changes that do...do need to be made.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate concur in House Amendment 1 to Senate Bill 893. 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 52, the Nays are 2, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 893. Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, I...I move that the Senate not concur with House Amendment No. 2 on Senate Bill 893. There are some technical changes that do need to be made in this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Etheredge moves to nonconcur with House Amendment 2 to Senate Bill 893...all in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Just for a moment. If I can tell you, I think...or try to tell you where we are. There is to be another meeting at six-thirty with the education summitters, the designated hitters, to attempt to iron out some wrinkles with respect to the education reform and financing bill. The House Republicans at the moment are in conference. We have concluded the work on our Calendar. The appropriations people are currently meeting to attempt to resolve those issues. All in all, I don't think there's much more that we can do this evening. So, I am going to move that we stand adjourned till ten o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved that the Senate stand adjourned till the hour of ten o'clock tomorrow morning.