

85TH GENERAL ASSEMBLY

REGULAR SESSION

JANUARY 13, 1988

PRESIDENT:

The hour of twelve having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by Pastor Bob Hanson, Greenview United Church, Greenview, Illinois. Pastor.

REVEREND BOB HANSON:

(Prayer given by Reverend Hanson)

PRESIDENT:

Pastor, thank you. Reading of the Journal.

SECRETARY:

Senate Journals from Thursday, October 22nd; Wednesday, November 4, 1987; Thursday, November 5, 1987 and Friday, November 6, 1987.

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 additional or corrections.

PRESIDENT:

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

SECRETARY:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to adopt the First Conference Committee Report on House Bill 1763 and requests a second Committee of Conference to consider the differences between the two Houses...with regards to Amendment No 1.

PRESIDENT:

All right. Senators Watson and Vadalabene move that the Senate accede to the request of the House for a second Conference Committee. All in favor of that motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered.

SECRETARY:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

Senate Bill 485 with House...House Amendment No. 10.

PRESIDENT:

All right. Senator Berman moves that the Senate accede to the request of the House. Oh, all right, let's...put that one on the Supplemental Calendar. I'm sorry. Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has passed a joint resolution Constitutional Amendment, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution Constitutional Amendment No. 6

PRESIDENT:

Executive.

SECRETARY:

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

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

House Joint Resolution 140.

PRESIDENT:

Ladies and gentlemen, if I can have your attention, now before us is House Joint Resolution 140. Senator Demuzio.

SENATOR DEMUZIO:

Hello. Thank you, very much, Mr. President. House Joint Resolution 140 is a resolution that calls for the Senate and the House, the two Houses convening in our Joint Session on Wednesday, today, at the hour of twelve-fifteen for the purpose of...utilize...I'm sorry, paying our respects to Harold Washington, our former colleague in both the House and the Senate. I would move adoption of House Joint Resolution 140.

PRESIDENT:

All right. Senator Demuzio has moved to suspend the rules for the purpose of the immediate consideration and adoption of House Joint Resolution 140. Senator Geo-Karis.

SENATOR GEO-KARIS:

I'll wait...I'll wait...I'll wait.

PRESIDENT:

All right. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senator Demuzio now moves the adoption of House Joint Resolution 140. This is the resolution which calls for us to convene in Joint Session, virtually immediately, over in the House Chamber for the purpose of the Memorial Service in honor of the memory of Harold Washington. So I would ask the members to please be ready to go over immediately. The Governor and the Constitutional Officers and the Washington family await our presence. All in favor of the adoption of House Joint Resolution 140 indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, point of information. After we convene in the House for the resolution ceremonies honoring the...the Memorial Service for Mayor Washington, our former colleague, are we going to resume Session here?

PRESIDENT:

Well, my understanding was that Senator Philip has requested that there be a Republican Caucus right after that ceremony in his office.

SENATOR GEO-KARIS:

Well, then I would like to request a Republican Caucus right after the ceremonies are completed in the House at Senator Philip's Office.

PRESIDENT:

All right. There will be a Republican Caucus, at the request of Senator Geo-Karis, in the Minority Leader's office immediately after the ceremony. In the meantime, ladies and gentlemen, the Senate will stand in Recess until the hour of two o'clock for the purpose of immediately going over to the House Chamber where we will seek admittance and convene in Joint Session. The Senate stands in Recess until the hour of two o'clock. And let's immediately go to the Well of the House, please.

RECESS

PRESIDENT:

Ladies and gentlemen, if I can have your attention, and those who are within earshot or within microphone distance. There is a Republican Caucus to begin immediately in Senator Philip's office, and the Senate will reconvene at two forty-five, in thirty minutes. The Senate will convene in thirty minutes.

AFTER RECESS

PRESIDENT:

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

SECRETARY:

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

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

House Joint Resolution 139. It is congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

House...I have a like resolution on House Joint Resolution 142.

PRESIDENT:

Consent Calendar. Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has accepted the Governor's specific recommendations for change which are attached to a bill of the following title, in the adoption of which I am instructed...to ask the concurrence of the Senate, to-wit:

House Bill 2748.

PRESIDENT:

Let's do that. Introduction of bills, Madam Secretary.

SECRETARY:

Senate Bill 1557 offered by Senator Jerome Joyce.

(Secretary reads title of bill)

Senate Bill 1568 offered by Senator Severns.

(Secretary reads title of bill)

Senate Bill 1569 offered by Senator Collins.

(Secretary reads title of bill)

Senate Bill 1570 offered by Senator Jones.

(Secretary reads title of bill)

Senate Bill 1571 offered by Senator Berman.

(Secretary reads title of bill)

Senate Bill 1572 offered by Senator Berman.

(Secretary reads title of bill)

Senate Bill 1573...offered by Senator Thomas Dunn.

(Secretary reads title of bill)

Senate Bill 1574 offered by Senator Thomas Dunn.

(Secretary reads title of bill)

Senate Bill 1575 offered by Senator Jerome Joyce.

(Secretary reads title of bill)

Senate Bill 1576 offered by Senator Brookins.

(Secretary reads title of bill)

Senate Bill 1577 offered by Senator Brookins.

(Secretary reads title of bill)

Senate Bill 1578 offered by Senator Brookins.

(Secretary reads title of bill)

Senate Bill 1579 offered by Senators Collins, Newhouse,
Hall, Jones and Brookins.

(Secretary reads title of bill)

Senate Bill 1580 offered by Senator Collins.

(Secretary reads title of bill)

Senate Bill 1581 offered by Senator Jerome J. Joyce.

(Secretary reads title of bill)

Senate Bill 1582 offered by Senator Jerome J. Joyce.

(Secretary reads title of bill)

Senate Bill 1583 offered by Senator Smith.

(Secretary reads title of bill)

Senate Bill 1584 offered by Senator Smith.

(Secretary reads title of bill)

Senate Bill 1585 offered by Senator Smith.

(Secretary reads title of bill)

Senate Bill 1586 offered by Senator Smith.

(Secretary reads title of bill)

Senate Bill 1587 offered by Senator Smith.

(Secretary reads title of bill)

Senate Bill 1588 offered by Senator Smith.

(Secretary reads title of bill)

Senate Bill 1589 offered by Senator Smith.

(Secretary reads title of bill)

Senate Bill 1590 offered by Senator Smith.

(Secretary reads title of bill)

Senate Bill 1591 offered by Senator Hall.

(Secretary reads title of bill)

Senate Bill 1592 offered by Senator Lechowicz.

(Secretary reads title of bill)

Senate Bill 1593 offered by Senator Zito.

(Secretary reads title of bill)

Senate Bill 1594 offered by Senator Zito.

(Secretary reads title of bill)

Senate Bill 1595 offered by Senator Zito.

(Secretary reads title of bill)

Senate Bill 1596 offered by Senators Dudycz, Philip,
Raica, Geo-Karis and others.

(Secretary reads title of bill)

Senate Bill 1597 offered by Senator Luft.

(Secretary reads title of bill)

Senate Bill 1598 offered by Senator J. J. Joyce.

(Secretary reads title of bill)

Senate Bill 1599 offered by Senator...Jerome J. Joyce.

(Secretary reads title of bill)

Senate Bill 1600 offered by Senator Emil Jones.

(Secretary reads title of bill)

Senate Bill 1601 offered by Senator J. J. Joyce.

(Secretary reads title of bill)

Senate Bill...1602 offered by Senator Topinka.

(Secretary reads title of bill)

Senate Bill 1603 offered by Senator...Senators Jacobs,
Zito, Berman and Jones.

(Secretary reads title of bill)

Senate Bill 1604 offered by Senator Maitland.

(Secretary reads title of bill)

Senate Bill 1605 offered by Senator Severns.

(Secretary reads title of bill)

Senate Bill 1606 offered by Senator Topinka.

(Secretary reads title of bill)

Senate Bill 1607 offered by Senator Topinka.

(Secretary reads title of bill)

1st reading of the bills.

Senate Bill 1608 offered by Senator Kelly.

(Secretary reads title of bill)

Senate Bill 1609 offered by Senators Fawell and Topinka.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Rules Committee. Resolutions.

SECRETARY:

Senate Resolution 695 offered by Senator Hall.

Senate Resolution 696 offered by Senator...696 and 697
offered by Senator...Senator Severns.

Senate Resolution 698 offered by Senator Kelly.

Senate Resolution 699 offered by Senator Watson.

Senate Resolution 700 offered by Senator Lechowicz.

Senate Resolution 701 offered by Senator Karpel.

Senate Resolution 702 offered by Senator Hawkinson.

Senate Resolution 703 offered by Senators Davidson and
all members.

Senate Resolution...Senate Resolutions 704 and 705
offered by Senator Savickas.

Senate Resolution 706 offered by Senator Karpel.

Senate Resolution 707 offered by Senator Hawkinson.

Senate Resolution 708 offered by Senator Berman.

Senate Resolution 709 offered by Senator Hawkinson.

Senate Resolutions 710, 711 and 712 offered by Senator Watson.

Senate Resolution 713 offered by Senators Hawkinson, Luft, Madigan and all members.

Senate Resolution 714 offered by Senator Zito.

Senate Resolution 715 offered by Senators Philip, Mahar, Fawell, Etheredge and others.

Senate Resolution 716 offered by Senator Severns.

Senate Resolution 717 offered by Senator Lechowicz.

Senate Resolution 718 offered by Senator Rock.

Senate Resolution...719 offered by Senator Rock.

Senate Resolution 720 offered by Senator Kelly.

Senate Resolution 721 offered by Senators Kelly, DeAngelis and Mahar.

Senate Resolution 722 offered by Senators Kelly and Mahar.

Senate Resolution 723 offered by Senator Kelly.

Senate Resolution 724 offered by Senator Dudycz.

Senate Resolution 725 offered by Senator Dudycz.

Senate Resolution 726 offered by Senator Luft.

Senate Resolution 727 offered by Senators Keats, Geokaris and Barkhausen.

Senate Resolution 728 offered by Senator Topinka.

Senate Resolution 729 and 730 offered by Senator Topinka.

Senate Resolution 731 offered by Senators...Topinka, Raica and Dudycz.

Senate Resolution...Senate Resolutions 732 and 733 offered by Senators Topinka and Hudson.

Senate Resolution 734 through 743 offered by Senator Ralph Dunn.

Senate Resolution 744 offered by Senator Geo-Karis.

Senate Resolution 745 through 747 offered by Senator Mahar.

Senate Resolution 748 offered by Senator Raica.

Senate Resolution...749 offered by Senator Hawkinson.

Senate...they are all congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 750 offered by Senators Philip, Mahar, Rock and all members.

Senate Resolution 751 offered by Senator Karpel and all members.

Senate Resolution 752 offered by Senators Topinka and Hudson.

Senate Resolution 753 offered by Senator Topinka.

Those are death resolutions.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 754 offered by Senator Brookins. It is substantive.

Senate Resolution 755 offered by Senators Kelly, Jones and Brookins.

Senate Resolution 756 offered by Senator Welch. Those are both...substantive.

PRESIDENT:

Executive.

SECRETARY:

Senate Joint Resolution 92 offered by Senator Jacobs. It is congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution 93 offered by Senator Thomas Dunn and Maitland. It is substantive.

PRESIDENT:

Executive.

SECRETARY:

Senate Joint Resolution Constitutional Amendment No. 94.

PRESIDENT:

Executive. All right. Ladies and gentlemen, if I can have your attention. We have, it appears, about all told, Senator and Philip and I discussed, only about an hour's worth of work. One of the problems, obviously, is the transmission of the paper between the Houses. But we have...I have just spoken with the Speaker and we are attempting to facilitate the movement of the Messages so that we can conclude our business hopefully within...within that hour. Let me just...if you'll walk through with me, I'll tell you what's out there and what we would like...pursuant to member request and agreement of the joint leadership this is what we will be doing today before we conclude. One, the schedule has been passed out and I would ask all the members to...to take that with them. We have attempted to put...Senator Philip and I have attempted to put together a schedule for the entire 1988 semester. So everybody is forewarned. And I'd ask you please to take a look at it and if you feel that there are any changes that ought to be made or could be made, let me know. Now, if you turn to page 6 on the Calendar, page 6, which is the order of business to which we will go and we will begin there. There's been a request to move Senate Bill 43 into a Conference Committee. On the top of page 8, top of page 8, on the Order of Conference Committee Reports, there is a request to go to the order of business of Senate Bill 187. Then...then we will go to Supplemental Calendar No. 1, Senate Bill 485. There's an effort to move that into Conference Committee so that certain technical

changes for the Build Illinois Program can be approved. Then there is a Conference Committee Report on House Bill 1763 which was requested by Senators Vadalabene and Watson. Then there will be a Supplemental Calendar No. 2 and we are awaiting a couple of more House Messages. The House has three Veto Messages of the Governor which it is on...which order of business it's on right now I am told; two are amendatory veto and one is an outright veto. If any of those get over here we would obviously be in a position to take action. Then there is a bill from the Bureau of...Bureau of Employment Security, technical changes...purely technical changes, House Bill 2033. That will be a Conference Committee Report which I understand, the Secretary informs me, has already been filed. That will be on Supplemental 2. And there is currently pending a Conference Committee Report on House Bill 2323 which is a request from the Department of Transportation and as I understand it has something also to do with Lake County. I have not seen that report but I understand it's in the mix, it's...it's moving. So, if it gets here, it gets here. But we are going to conclude our business today, and that, frankly, is all the business we will be dealing with. Now before we begin we have a special guest who has flown in from Washington. I don't know how many of you are familiar with the Institute for Illinois but it is an effort on the part of our Congressional delegation on a bipartisan basis to involve the private sector and to take a look at programs, both Congressional and at the state level, that are good for the economy of Illinois. And the...the president of that institute, Mr. Eglis Millbergs is here and I have asked him to introduce himself and say hello and then he will be, he tells me, available to walk around the Floor and meet all of you individually or as many as...as he can with the hope that there will be some dialogue. And all of you are more familiar with things in your district than either he or I, so

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please avail yourself of that opportunity and let's welcome Mr. Millbergs. Eglis, please.

MR. EGLIS MILLBERGS:

(Remarks given by Mr. Millbergs)

PRESIDENT:

All right. Ladies and gentlemen, we will begin in the order in which I outlined. We'll just go down and do what has to be done and hopefully we can conclude our business in an hour or so. If you'll turn to page 6 on the Calendar, on the Order of Secretary's Desk Concurrence there is Senate Bill 43, Madam Secretary.

SECRETARY:

House Amendments 2 and 11 to Senate Bill 43.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that we nonconcur in House Amendments 2 and 11 to Senate Bill 43.

PRESIDENT:

Senator Berman has moved to nonconcur in House Amendments 2 and 11 to Senate Bill 43. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. If you'll turn to page 8 on the Calendar, page 8 on the Calendar, on the Order of Conference Committee Reports, there is a Conference Committee Report with respect to Senate Bill 187, Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 187.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This Conference Committee Report touches on a number of items including bonded...bonded

indebtedness involving the Pontiac area joint high school agreements which was formerly a...Representative Schuneman's bill which is a pro-consolidation measure, deals with three school buildings in the Chicago school system, puts a limit regarding the Math-Science Academy which has been signed off to by the administration of the Math-Science Academy. Those are the items five in total that are in this. I move the adoption of Conference Committee Report No. 1.

PRESIDENT:

All right. Senator Berman has moved the adoption of the Conference Committee Report on Senate Bill 187. Any discussion? Senator Jones.

SENATOR JONES:

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

PRESIDENT:

Sponsor indicates he will yield, Senator Jones.

SENATOR JONES:

Senator Berman, by the fact that you did not...that you did not sign this Conference Committee Report, does that indicate that you are not in agreement with all the context therein?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Well, Senator Jones, you know that times change and things move, and when it was presented to me I thought that the bill ought to wait and it has waited and today's the day that it ought to move.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, Senator Berman, on page 11 of the Conference Committee Report the limitations for use for school purposes wherein it states in there between December 31st, 1979 to

January 31st, 1988, and any building there have been used for school purposes that is...they have leased to the park district or anything else or even from the City of Chicago as...as a fact cannot ever begin...be used again as a...for school purposes. Is that correct?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Yes, sir.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, Mr. President...and the members of the Senate, I rise in opposition to the Conference Committee Report. The City of Chicago public schools are in very, very bad shape financially and here...from time to time children are in some schools that are very overcrowded and here we are at the state level passing legislation to prohibit...to prohibit those schools ever to be used again for school purposes. The...the Chicago public school system is in bad shape financially, and if we have to go through the process of building new schools, that is a burden on the taxpayers of the City of Chicago and the State of Illinois. We should not be in the business of limiting the use of buildings owned by...by the Chicago Public School System. If those buildings need to be used again to educate our children in...in the public school system, then they should be used. We should not be here in Springfield telling the Chicago Board of Education that those buildings can never be used again. Just west...if...if...if these are the three schools that I think you are talking about, immediately east of there the schools are vastly overcrowded. They are vastly overcrowded. And those students who are being undereducated, who do not have the facilities could possibly use these schools in the very near future. I

urge a defeat of...of the Conference Committee Report because this spring we're going to have a serious crisis on our hand as it relate to public education. And School District 299, which is the Board of Education of the City of Chicago, should not be caught in the position wherein they could not use any facility whatsoever to help educate our children. I urge the...the defeat of the Conference...Committee No. 1 on Senate Bill 187, and I was really shocked that the sponsor even brought it up.

PRESIDENT:

A number of members have indicated that they wish to be heard. If we can have your attention, I'm sure this can be expedited. Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. It's clear, Mr. President and members of the Senate, that it would be an injustice to the senior citizens and to the youth of that community to displace the programs which are currently going on in that school. This is not just a brick building that we're talking about but what we are talking about is a monument of love and dedication by the senior citizens and the youth of that community that are working together. To close the facility would not only close this monument but hurt the community, and I move that we go with Senator Berman and we adopt the Conference Committee Report.

PRESIDENT:

Further discussion? Senator Poshard. Ladies and gentlemen, please. I would ask our friends in the gallery that demonstrations...we would...we would appreciate your refraining from any demonstration. Senator Poshard.

SENATOR POSHARD:

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

PRESIDENT:

Sponsor indicates he will yield, Senator Poshard.

SENATOR POSHARD:

Senator Berman, I wasn't listening totally to your explanation. Could you explain for me the provisions on page 2 of the Senate Bill 187 here in regard to the annexation of territory and in particular the reasoning for the June 30, 1987 and prior to September 15, 1987 dates. Why those particular dates in regard to this bill, especially concerning the annexation of territory with bonded indebtedness?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Senator Poshard. As is oftentimes the case, a particular problem arises in a particular situation and we try to address that in generic language. What we have done here specifically, there was a problem involving the City of Pontiac. This is, I am told, all that this addresses and that's what this language is intended to accommodate.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. It appears as though the most controversial section of this particular Conference Committee Report is the first one which is listed which deals with the Chicago Park District-Chicago school problem. I, too, had some concerns, as Senator Jones did, about what we were doing last time when we considered this bill. I've looked it over carefully and I...I do find one rather curious thing about the...the approach here. The property on which the school building stands is owned by the Chicago Park District. This is not a school building and school property owned by the Chicago Board of Education; instead, the land itself is property of the Chicago Park Dis-

trict. At the present time that property, that building is now being utilized, as Senator Raica said, by a variety of community groups. And it seems to me that while we should be concerned about Chicago schools, we also need to be concerned, as I've heard so many time from my friends on the other side of the aisle, about Chicago's neighborhoods. And what we're really doing here is trying to preserve a group of people in the neighborhood and the community facility which they use. It seems to me to make good sense that we would put this into the law. And I would urge an Aye vote on Senate Bill 187.

PRESIDENT:

Further discussion? Any further discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, just to give a brief background of these school problems here. These schools in the past years were being auctioned off and put on the market by the board of education to prevent private developers from coming in and using these buildings, and that's what they were going to do. Representative Madigan and myself and other elected officials in the...area persuaded the park district to rehab them and put in these programs. Tarkington School, ladies and gentlemen, uses these classrooms Monday through Friday for six hundred children in preschool activities. Women and senior citizen activities, a hundred and thirty to a hundred and fifty people use them with a waiting list to get in. Yes, there is overcrowding in our system...in our school system. The problem is that the board of education although overcrowding exists here is selling school buildings at Seventieth and Princeton. As they continue to sell and create an overcrowding condition, we're concerned in our community that recreational programs that have been established there over these years with community support will be with-

drawn and will be diminished as every other community in Chicago is gaining increased recreational opportunities. I sit on the board at the Chicago Park District, we are granting more and more recreational facilities to each and every neighborhood. We cannot say that in our community we must remove them and restrict those facilities. I would ask that you support this bill.

PRESIDENT:

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

SENATOR BERMAN:

Thank you, Mr. President. I think the issues have been adequately debated. I ask for an Aye vote.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee Report on Senate Bill 187. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator Demuzio, for what purpose do you seek recognition?

SENATOR DEMUZIO:

Well, this is the first vote that we've had since we've been back in Session. There are some people who have spoke with respect to this issue, including my seatmate, and we've all pushed our buttons. So I would caution everyone to check and see whether or not your key is on because we almost had a roll call here and our...some of our keys are turned off. So, if you would just check and make sure you're recorded.

PRESIDENT:

Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 voting Aye, 1 voting Nay, 5 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 187 and the bill having received the required constitutional majority is

declared passed. All right. Ladies and gentlemen, if you'll now move to Supplemental Calendar No. 1. That, as I understand it, concludes the business on the regular Calendar. So we'll now move to Supplemental Calendar No. 1. On the Order of Supplemental...on the Order of Supplemental Calendar No. 1, on the Order of Secretary's Desk Concurrence is Senate Bill 485, Madam Secretary.

SECRETARY:

House Amendment No. 10 to Senate Bill 485.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Do I get paid piecework today?

PRESIDENT:

Yes.

SENATOR BERMAN:

Thank you. On Senate Bill 485, I move that we nonconcur in House Amendment No. 10.

PRESIDENT:

Senator Berman has moved to nonconcur in House Amendment No. 10 to Senate Bill 485. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Keats, for what purpose do you arise, sir?

SENATOR KEATS:

Thank...thank you, Mr. President. I just ask Senator Berman, whoever is going to be on the Conference Committee for 485, it is the understanding among many of us from discussions one of the provisions that will come back to this amendment uses Build Illinois bond funds for day-to-day operations of leasing a building, never been done in the history of the state. We just ask as a favor, that's the only controversial thing we saw on the bill. If it came back with something like that, many of us could not support a bill that

would use bond funds for operations, i.e., leasing a building. As long as it comes back with the other stuff, it seems to be noncontroversial. We ask that now before it goes and you be aware that many of us are upset about that.

PRESIDENT:

All right. On the Order of Supplemental Calendar No. 1, there is a Conference Committee Report with respect to House Bill 1763, Madam Secretary.

SECRETARY:

Second Conference Committee Report on House Bill 1763.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. The Second Conference Committee Report on House Bill 1763 signifies a compromise on...legislation which would have originally granted cities throughout Illinois the ability to approve a one percent sales tax on food and beverages to fund the construction and maintenance of proposed convention centers. In November, the Senate voted down the original proposal; and this Wednesday, today, we will present the compromise in a Second Conference Committee Report which limits the bill to the City of Collinsville. The legislation is permissive only...the legislation is permissive only. We are putting the power where it belongs at the local level by letting the City Council of Collinsville approve or disapprove the additional one percent sales tax. The tax is to be on food and beverage consumption on the premises, meaning that it will affect restaurants but it will not affect grocery items. As I said previously, this bill is now limited to the City of Collinsville only. The passage or the failure of the one percent sales tax is for the Collinsville City Council to decide. It is the Collinsville City Council...which will divide...decide the one percent sales tax. What we are doing

here today, the General Assembly is giving the council to power...the power to enact this tax to fund a proposed convention center, and we are not here in the General Assembly enacting the tax. I have passed around letters of endorsement. The Collinsville Chamber of Commerce of Collinsville is in support of this, you have a letter on your desk in regard to that. The Governor approves the concept, and I move at this time, Mr. President, to adopt the Second Conference Committee Report on House Bill 1763.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Watson.

SENATOR WATSON:

Yes, sir, thank you, Mr. President. I think the sponsor pretty well made it explicitly clear how this is going to affect and who it's going to affect and it is only the City of Collinsville. It is a special service tax that we are enabling the city to impose upon a certain area within the city. Now I've gotten letters from most all of the retail establishments along Route...Illinois 157, the race track...over by the race track and Eastport Plaza and all these people are supportive, naturally because they are interested in seeing the...the civic convention center be built and hopefully would help their businesses, so they...they are supportive. The opposition, and I have to admit there has been some opposition, and it's from the community members themselves who oppose the civic center. And there is some question as to whether or not we're really building a white elephant and something that we're going to have to have around our necks for a long period of time; hopefully, that isn't the case. We're talking about development in an area of this state in which really needs economic development. We're talking about an area of this state in which route...Interstate 70 and 255 which will intersect at this particular location is one...going to be one of the

highest traffic areas...traffic count areas in the country, not just necessarily in the state or the area, we're talking about a multitude of traffic. So there's a lot of potential...a lot of potential in this area. So I'd think that there's a good possibility that the civic center will succeed. So I share some of the concerns that the people of Collinsville have expressed to me but I do think that in the long-run and the long haul that we're going to be better off in the Metro-east area for having this civic center. Now the intent of this, and I want to spell that out because I do have a letter from the mayor. The current mayor of...of Collinsville has expressed that the intent is to tax only those establishments along Route Illinois 157, along U. S. 40 near the...race track and the Eastport Plaza and those, of course, are the retail establishments that we have received letters in support of the tax. There is some concern in...in the downtown area that this tax would not be fair and should not be imposed upon that particular area of the city. The mayor has agreed to that and has agreed that the...that the intent is to impose it only on the areas that I mentioned. So I'm rising in support of this in hopes that the civic center can be built and the development of Collinsville and the southwest area of this state will benefit as a result. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would like to make a couple of points about this bill. I suspect as a matter of principle it's not a terribly good idea to begin with but it is something that that area particularly wants, and to a very considerable extent I think it should be their concern and their decision. And I would also point out that a convention center which needs this kind of extra help to begin with does

get a little scary because it may have some financial problems that...that we will be seeing again at the state level. But putting aside those matters of general principle, one thing I wanted to point out and I think it has now been mentioned at least, this is not an amendment to the state sales tax or to the Municipal Retailer's Occupation Tax. It is not a part of the state's overall...sales tax structure, and I think that is very important. It is literally an amendment to the bill that creates specifically the Collinsville Civic Center Act. One reason why I mention that is because we are still attempting to rationalize and put some orderliness into the whole sales tax structure and if we were authorizing a new and additional sales tax outside of the mainstream that would be, I think, a very serious problem. In my judgment, I believe that the bill is being proposed pursuant to Article VII, Section 7, Subsection 6 of the Illinois Constitution which deals directly with the authority of counties and municipalities which are not home rule units, and I'm now quoting, "to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services." I mention that because I...I think it is important to try to give a constitutional base to this legislation. I think it's still going to have some problems as...as special legislation, but we have in the past...authorized more generally special service area projects and I think this is a more particularized version of that. So it does have in that sense a strong constitutional base. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, if I may ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield.

SENATOR TOPINKA:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

It's my understanding that Collinsville is not a home rule community. Now, I happen to have a number of non-home rule communities who would also like to tax. If this would become law and be passed and accepted, would that not now set the precedent for non-home rule communities to follow this course and also be able to tax without going through the home rule process?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes. They...they could not do that according to the law because this is restricted only to Collinsville.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I rise in strong support on the Conference Committee Report on House Bill 1763. And many of the concerns that were expressed were frankly discussed when we considered the First Conference Committee Report, and there have been some substantial changes not the least of which, as Senator Netsch so rightly pointed out, that all that we are doing literally is affording the village elected officials in Collinsville the opportunity to impose a special service tax upon themselves. It's something I think we should do. The fact of the matter is there is some...somewhat of an emergency, there is an urgency to get this project moving. And I would ask

all the members, particularly on this side, to be supportive of Senator Vadalabene's effort.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? If not, Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I just ask for a favorable vote to the Second Conference Committee Report on House Bill 1763.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

The question is, shall the Senate adopt the...the Second Conference Committee Report on House Bill 1763. 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? Last call. Take the record. On that question, the Ayes are 42, the Nays are 8, 2 voting Present. The Senate does adopt the Second Conference Committee Report on House Bill 1763 and the bill having received the required constitutional majority is declared passed. Senator Rock.

SENATOR ROCK:

Mr. President, Ladies and Gentlemen of the Senate, if I can have the members' attention. We are in the process of compiling and putting together Supplemental Calendar No. 2 which will contain three Conference Committee Reports and at least one Message that's already been received from the House and hopefully the other two will shortly be forthcoming. In the meantime, Senator del Valle has a motion to discharge the Committee on Executive from further consideration of Senate Resolution 683. So if we can handle that order of business and then do whatever housekeeping is up there, and I would just ask the members to be patient, we are attempting to facilitate the paper flow and we will attempt to conclude our business within the hour, I am sure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we will go to the Order of Motions specifically for Senator del Valle's motion. Madam Secretary.

SECRETARY:

Senate Resolution 783 offered by Senator del Valle.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator del Valle has...Senator...Senator del Valle. Senate Resolution 683. Is your mike working now?

SENATOR del VALLE:

No...yes. Thank you, Mr. President. I move, Mr. President, to discharge the committee...the Executive Committee from further consideration of Senate Resolution 683.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator del Valle has moved to suspend the rules...to discharge the committee from further consideration of Senate Resolution 683, the Executive Committee. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint...Senate Resolution 683 has been discharged from the Committee of Executive and is now before us. Senator del Valle.

SENATOR del VALLE:

Yes, Senate Resolution 683 calls for a study that will be conducted by the State Board of Education and the Department of Registration and Education to determine and to provide information on problems that have been experienced with certain proprietary schools. This information will be used to develop legislation that will then be brought to this Body at a later date. I move the adoption of Senate Resolution 683.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? I am told that it...this...in fact, will take a roll call. Senator del Valle...has...has...has moved the adoption of Senate Resolution 683. 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? Senator Dunn. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Resolution 683 is adopted. Supplemental Calendar No. 2 is currently being distributed to the members. Supplemental Calendar 2 is being distributed. There are two Conference Committee Reports. Senator Poshard, you will be first up. Does everyone have...Supplemental Calendar No. 2 on their desk? All right. With leave of the Body, we'll go to the Order of Supplemental Calendar No. 2, Conference Committee Reports, House Bill 2033, Nadam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 2033.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a technical cleanup of the unemployment insurance bill which we passed back in the Fall Session. The Department of Employment Security has suggested that these technical changes be made to correct some minor errors that were discovered after the passage of the bill. It just passed the House 115 to nothing and just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 2033. 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 55, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 2033 and the

bill having received the required constitutional majority is declared passed. House Bill 2323. Senator Woodyard, are you ready? Okay. House bill...Conference Committee Reports is House Bill 2323, Madam Secretary.

SECRETARY:

Second Conference Committee Report on House Bill 2323.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. This bill also is somewhat in the nature now of...of a lot of cleanup primarily in transportation areas. I think if you can follow...your analysis along with me, the underlying bill is still there that allows just the manufacturers to install the seatbacks on school busses, it changes some definitions of motor vehicles requested by the State Police Department of Transportation, it authorizes the headlight pipe on privately owned snowplows, it also contains a...a repeal of these rather controversial splashguards on trucks that I think Senator O'Daniel has...quite an interest in. There was also some language requested by the state police which would limit the authority of...arrest powers for these truck weight inspectors. It also contains...a provision that Senator Rigney was quite interested in that would allow the Department of Transportation to sell other...or implements other than just trucks to units of local government. And lastly, the provision that the President of the Senate alluded to that is involved in Lake County that would allow the Department of Conservation to sell sand to the Lake County Forest Preserve, and it's my understanding that amount would be twenty-five thousand cubic yards at...at a cost of three dollars per yard which seems to be agreed to by all of those folks. I'm sorry, one dollar per yard. Correct...all right...oh, I'm...

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Woodyard.

SENATOR WOODYARD:

I'm sorry, that would be one dollar for the entire amount and...and if someone has some questions on that, possibly Senator Geo-Karis could answer those.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor, Mr. President. I don't have a copy of this in front of me but I see one of the sponsors is an individual who in the past has tried to either require seat belts on busses or require exit hatches on the top of busses. Are either of those provisions included in this bill?

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Woodyard.

SENATOR WOODYARD:

No.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Just to explain, Mr. President and Ladies and Gentlemen of the Senate, the twenty-five thousand yards of...cubic yards of sand was on land that the Lake County Forest Preserve District had deeded over to the Department of Conservation for the marina. It's really their sand they're trying to get back so they can put it in another lake that they have.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Woodyard, you wish to close?
Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, I'd just ask for a favorable

vote. It did pass the House a little while ago 110 to nothing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the Second Conference Committee Report on House Bill 2323. 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 56, the Nays are none, none voting Present. The Senate does adopt the Second Conference Committee Report on House Bill 2323 and the bill having received the required constitutional majority is declared passed. All right. We're still on Supplemental Calendar No. 2, specific recommendations for change. Senator Hall on House Bill 2748, Madam Secretary. All right. Motions in writing, specific recommendations for change. House Bill 2748, Madam Secretary.

SECRETARY:

A motion to accept the specific recommendations of the Governor. Filed by Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to accept the specific recommendations of the Governor on House Bill 2748. As it was sent to the Governor it would have allowed county boards in all classes of counties to increase fees charged by the county clerks and county recorder if an acceptable cause study show statutory...fees are insufficient to cover the cost of service. Second, it allowed the circuit clerks in counties utilized as mandatory arbitration to collect a five dollar arbitration fee at the time of first filing. And third, required county treasurers to collect a ten dollar fee for the proceeds of a tax sale to

cover cost of mailing and publication. Now the Governor's acts deleted all reference to county...increasing county clerks, recorders fees by county board ordinance. The Governor's rationale was the term acceptable cost study is not defined, leaving the fee increase process open to abuse. Second, the current statutory fee schedule would be effectively eliminated destroying uniformity throughout the state. Third, cost to the state agencies thus that use these services of clerks, recorders would be increased and budgeting for these costs would be made extremely difficult. So the comment...the parts of the bill dealing with arbitration fees and tax sales fees are left intact. I move for the acceptance of the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2748 in the manner and form just stated by Senator Hall. 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 53, the Nays are 2, none voting Present. The Senate does accept the specific recommendations of the change as to House Bill 2748 and the bill having received the required constitutional majority vote of Senators elected are declared accepted. Message from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has accepted the Governor's specific recommendations for change which are attached to a bill of the following title, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bill 2712.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, again, just for your information, we are in the process of compiling Supplemental Calendar No. 3. That will contain the Conference Committee Report on 485 which is the Build Illinois technical change, the acceptance of an amendatory veto on House Bill 2712, then we will have the Resolutions Consent Calendar and the adjournment resolution which is on its way from the House. So, if you just kind of stay put, I think we can beat the four forty-five deadline.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll go to the Order of Introduction of Bills. Introduction of bills, Madam Secretary.

SECRETARY:

Senate Bill 1610 offered by Senator Welch.

(Secretary reads title of bill)

Senate Bill 1611 offered by Senator Hawkinson.

(Secretary reads title of bill)

Senate Bill...1612 offered by Senator Hawkinson.

(Secretary reads title of bill)

Senate Bill 1613 offered by Senator Ralph Dunn.

(Secretary reads title of bill)

Senate Bill 1614 offered by Senator Fawell.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules Committee. All right. With leave of the Body, we have additional resolutions that have been filed. Resolutions, Madam Secretary.

SECRETARY:

Senate Resolution 757 offered by Senators Demuzio, Rock

and all members.

Senate Resolution 758 offered by Senator Topinka.

Senate Resolution 759 offered by Senator Fawell.

They are all congratulatory.

Senate Resolution 760 offered by Senators Philip, Rock and all members.

Senate Resolution 761 offered by Senators Philip, Rock and all members.

They're death resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Message from the House.

SECRETARY:

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

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

House Joint Resolution 144.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR TOPINKA:

Yes. If you might, would you put me on as a hyphenated joint sponsor, please, with Senator Dunn on Senate Bill 1613 and also add me to Senate Resolution 756.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Topinka seeks leave of the Body to be added as a hyphenated cosponsor on Senate Bill 1613. Is leave granted? Leave is granted. Senator Topinka...also asked leave of the Body to be added as a cosponsor of Senate Resolution 756. Is leave granted? Leave is granted. So ordered. Senator Netsch, your light is blinking. Senator Netsch.

SENATOR NETSCH:

While we're in a moment of limbo, a housekeeping matter.

With the sponsor's permission, I being the sponsor, Senator Rock would like to be added as a cosponsor of Senate Bill 1160.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

The...did you say Senator Rock? Senator Netsch...requests leave of the Body to add Senator Rock as a cosponsor of Senate Bill 1160.

SENATOR NETSCH:

That is correct, thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Is leave granted? Leave is granted. So ordered. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Senator Rock's presence on that bill has persuaded me to join that illustrious conglomerate and become a cosponsor on Senate Bill 1160.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Is there leave to add Senator Marovitz to this...up here? Leave is granted. Senator Marovitz has also requested leave to be added to Senate Bill 1160 and leave is granted. So ordered. Senator...Senator Welch.

SENATOR WELCH:

Mr. President, I would ask that we go to Senate Resolution 756 which has been introduced.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well...well, Senator Welch, where is it?

SENATOR WELCH:

It has...it has been introduced...it is currently in the Secretary's in-basket and it has not...I think it was assigned to committee. I'm asking to discharge the committee as well as suspend the appropriate rule.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Which committee...did it go to, Senator Welch?

SENATOR WELCH:

Probably...Executive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Welch,...if you could determine whether or not it has been read in yet...

SENATOR WELCH:

It has a number, so...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. It has been read in...

SENATOR WELCH:

...I assume it has been read in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...and it currently...we have sent it to the Executive Committee. Senator Welch, could you enlighten the Chair as to the subject matter with respect the resolution?

SENATOR WELCH:

Yes, sir. The resolution memorializes Congress to support House Resolution 2260 before the United States Congress mandating disclosure of information concerning American personnel classified as...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR WELCH:

...prisoner of war or missing in action in Southeast Asia.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR WELCH:

I've already talked to the chairman and minority spokesman on that committee, they have both approved the...immediate hearing of this particular...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch has moved to discharge the Committee on Executive from further consideration of Senate

Resolution 756 so that we may take up the matter before the Senate as soon as possible. Is...those in favor of the discharge indicate by saying Aye. Opposed Nay. The Ayes have it. The Committee on Executive is discharged and the resolution is placed on the Calendar which reposes now before the Senate. Senate Resolution...756, Senator Welch.

END OF REEL

REEL #2

SENATOR WELCH:

Thank you, Mr. President. The resolution has been distributed to all members and basically what it does is...is this. Many members of the Vietnam Veterans' groups have contacted us legislators to do something about the prisoners of war and those missing in action in Southeast Asia. It's a...almost inevitable anytime you go to a meeting of these veterans' groups that you get asked about House Resolution 2260. Since this is a resolution in Congress, we, obviously, have no right to vote on it. So what I'll...I'm trying to do is to memorialize Congress to pass that resolution as soon as possible. I think that many of us...I think all of us support this cause. The leadership...the sponsorship of the resolution is Welch, Tom Dunn, Holmberg, Severns, Raica, Dudycz, Lechowicz, Karpel. Senator Demuzio himself asked to be added to the resolution and I would move for its immediate consideration and adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Leave to add Senator Demuzio? Leave is granted. So ordered. Discussion on this question? Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. I also would like to be added as a...as a cosponsor, and there are some hundred and two former citizens of Illinois that are considered still missing in action in...in Southeast Asia, one of which is Captain Arthur Bollinger who was a good friend of mine and a classmate of mine at Greenville High School who is still considered missing, and it's a very unfortunate situation and I applaud Senator Welch in his efforts in appealing to Con-

gress. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Welch.

SENATOR WELCH:

Mr. President, I was wondering if it would be in order to add all members of the Senate as cosponsors of this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch has sought leave to add all members as a cosponsor of Senate Resolution 756. Is leave granted? Leave is granted. It is so ordered. Further discussion? Senator Welch has moved the adoption of Senate Resolution 7-5-6. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 756 is adopted. Supplemental Calendar No. 3 has been distributed...Supplemental Calendar No. 3 has been distributed. Conference Committee Reports, Senate Bill 485, Senator Berman. Are you ready? Okay. Mr...Madam Secretary, Senate Bill 4-8-5.

SECRETARY:

First Conference Committee Report on Senate Bill 485.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that we adopt the First Conference Committee Report on Senate Bill 485. I am advised that this shifts money within but does not increase the funding of certain Build Illinois projects. Move the adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? I've got three lights on here. Senator Brookins, do you wish to be recognized on this bill? All right. Senator Smith, do you wish to be recognized on this bill? All right. Senator Keats. Senator Keats.

SENATOR KEATS:

Senator Berman, looking at...will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Keats.

SENATOR KEATS:

Looking at this, it appears page 3 starting with line 34, the amount of two hundred thousand or so much thereof may be necessary appropriated to lease a facility in Princeton. Are you aware of us...the state using bond money to lease a building anyplace else in the state or any other time we've done it? Are you aware of us doing that or is this a brand new precedent?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I really have no knowledge precedentwise or otherwise. This is a response to a request from your colleague, Senator Schuneman, who probably can give a more definitive answer than I.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

I think the wrong requester, but still, the point being, we do not normally use bond funds for operating expense. This sets a precedent and I just think all members have to ask each other, do you really want to get in the business of using bond funds that we pay off over umpteen years for present day operating expenses? You talk about take a major constraint off our budget, this would let us do anything. I think it's a terrible precedent to start and I really think just as a Legislature we should say bond funds are for capital improvement, they should not be used for day-to-day operating expenditures.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR BERMAN:

Thank you. I've been...Senator Keats, you...you may just have gotten the information that I just received and I am told that the monies being utilized for these lease payments is out of the...the Purposes Fund not the bonding funds, so that staff advises me that this is not a radical new precedent that's being instituted. So, accordingly, in closing, I would ask for a favorable vote and...unless...I would yield to Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Keats.

SENATOR KEATS:

(Machine cutoff)...where does this Purposes Fund money come from? It's my understanding the Purposes Fund is simply another portion of the bond funds set aside...you know, under the bond funds we had one for beautification, one for this, one for that. It's my understanding this is one of them; I mean, if I'm wrong, I'm glad to back off. I have no objection to doing it, I'm just saying the precedent that we're setting is what I am opposed to, not the idea of some building somewhere.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Berman may close again.

SENATOR BERMAN:

Thank you. Again, I'm...Senator Keats, I'm advised that this is not bond money proceeds. This is from...this is pay as you go, other types of revenues which are not bond proceeds. So, in line with that admonition, I would ask for a favorable...vote on Conference Committee No. 1 to 485.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well,...Senator Keats, the gentleman had closed. The

HB 2712
Spec. Recommis.
for change

question is, shall the Senate adopt the...Senator Keats, for what purpose do you arise?

SENATOR KEATS:

Okay...I...just to finish a point. Our staff people are saying you're correct. It apparently does come from a tax fund but this is the first time then...second...is the first time we have ever used Build Illinois funds to lease but it is not a bond fund. I'm told by our staff too they say most Build Illinois bond funds, this isn't...but it does set the precedent we have never used Build Illinois to lease stuff before.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill...I'm sorry, Senate Bill 485...Senate Bill 4-8-5. 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? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 15, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 485 and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...Bill 2712. On the Order of Specific Recommendations for Change on House Bill 2712, Madam Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2712 in manner and form as follows. Amendment to House Bill 2712 in acceptance of Governor's recommendations. Filed by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank...thank you, Mr. President and members of the Senate. I move to accept the...the specific recommendation of the Governor for change in House Bill...change in 2712. Those changes are the administrator of the Supreme Court would not be eligible to become part of the Judges' Retirement System and deletes the provisions by taking out the State Comptroller as a member of the Board...of Investments, and I move to accept the Governor's recommendation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2712 in the manner and form as just stated by Senator Jones. 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 51, the Nays are none, none voting Present. The Senate does accept the specific recommendations of the Governor as to House Bill 2712 in the...I'm sorry, having received the required...constitutional majority vote of Senators elected are declared accepted. All right. Resolutions.

SECRETARY:

Senate Resolution 762 offered by Senator Brookins is a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. Senator...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. That effectively concludes our business. We have the Resolutions Consent Calendar, the adjournment resolution and the...which calls for us to return on the twenty-fifth day of February at the hour of eleven-thirty for the purpose of convening of a Joint Session to hear the Governor deliver

the State of the State and the Budget Message. So eleven-thirty on the 25th of February. The final order of business will be a death resolution for our departed colleague, Senator Frank Ozinga, but effectively we have concluded our substantive work.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR BROOKINS:

Yes, Mr. President, would you add me as a hyphenated sponsor to Resolution 683 and also a cosponsor of Senate Bill 1558?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Brookins has sought leave of the Body to be added as a cosponsor of Senate Resolution 683 and hyphenated cosponsor of Senate Bill 1558. Is leave granted? Leave is granted. So ordered. Senator del Valle, for what purpose do you arise?

SENATOR del VALLE:

Mr. President, I'd like to add as a hyphenated sponsor Senator Lechowicz to Senate Bill 1558.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator del Valle...requests leave of the Body to add Senator Lechowicz as a cosponsor of Senate Bill 1558. Is leave granted? Leave is granted. So ordered. Message from the House.

SECRETARY:

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

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

House Joint Resolution 144.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. President, House Joint Resolution 144. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Joint Resolution 144 is the adjournment resolution. It calls for us to return to Springfield, upon the conclusion of today's business, on February the 25th at the hour of eleven-thirty, and I would move to suspend the rules for its immediate consideration and adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved to suspend the rules for the immediate consideration of House Joint Resolution 144. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of House Joint Resolution 144. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 144 is adopted. Madam Secretary, have there been any...Madam Secretary, have there been any objections filed to the Resolutions Consent Calendar?

SECRETARY:

There have been no objections filed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we have passed out the Resolutions Consent Calendar. There have been several that have been added. With leave of the Body, we will add Senate Resolution 745 through 753 and Senate Resolution 757 through Senate...Senate...Senate Resolution 757 through 762 and Senate Joint Resolution 92 and House Joint Resolutions 139 and 142. Is there leave to add those? Leave is granted. All right. Senator Severns has moved the adoption of the Resolutions Consent Calendar. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The Resolutions Consent Calendar is adopted. All right. Senator Alexander, for what purpose do you arise?

SENATOR ALEXANDER:

Mr. President, kindly add me as a sponsor to House...I mean, Senate Resolution 683.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Alexander has requested to be added as a cosponsor of Senate Resolution 683. Is leave granted? Leave is granted. So ordered. Senator Smith, for what purpose do you arise? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to take leave...have...be added as a hyphenated sponsor to Senate Bill 1558, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Smith has requested leave of the Body to be added as a hyphenated cosponsor to Senate Bill 1558. Is leave granted? Leave is granted. So ordered. All right. We have one remaining matter, it is a death resolution. If our members would be in your seats. The doormen will keep the doors closed, please. All unauthorized members would please vacate. All right. Senate Resolution 750, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 750.

(Secretary reads SR 750)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think Dutch Ozinga was probably as close to me as any member in this General Assembly because perhaps we came from the same type of background. Dutch was a precinct captain, a township committeeman, state central committeeman, state representative, state senator. He was the Dean of the Senate when he was here and he was our caucus chairman and he

was a very, very good personal friend. I'm certainly going to miss him. You know, he's had...he had some bad health problems in the last few months and I have communicated with him in the hospital. We talked about a lot of those good times that we had together, and I...I will say this, when I ran for leader, he probably helped me more and worked harder than I did myself; and I know Frank is up there looking down on us today, and I will tell you, we're going to miss you, Frank.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I would just like to also add my thoughts and condolences to the family of the...Frank Ozinga family. Senator Ozinga was a...was a fine, true friend, certainly a great legislator. He was chairman of our Commission of Visiting Exam and state institutions which I served for many years and I got to know Frank on a personal basis and he was very dedicated and very proud of being a legislator. So I know that we all share in...in sympathy to his family and miss him very much and extend our...deep sympathy to all concerned.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. This is the second time today that I arise to say goodbye to an old friend. Frank Ozinga was everything that's been represented by the previous speakers, but I can recall when I came down here as a freshman that we had a pretty rough feeling out Session, but once that feeling out Session was over, you could not have found a more true friend or more dedicated person than Frank Ozinga was. You're right, we're going to miss him and I wish to his family every condolence there is possible and to certainly

expect...rather to in his memory commit myself and do the job that I think Frank did very well. He was a good leader.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? If not, Senator Philip has moved the adoption of Senate Resolution 750. Those in favor will please rise for a moment of silence. Senate Resolution 750 is adopted. Further business to come before the Senate? If not, Senator D'Arco has moved that the Senate stand adjourned until February 25th, at the hour of eleven-thirty. The Senate stands adjourned.

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