

85TH GENERAL ASSEMBLY

REGULAR SESSION

JULY 1, 1988

PRESIDENT:

The hour of eleven having arrived, the Senate will come to order. Will the members be at their desks and will our guests in the gallery please rise. Our prayer this morning by Pastor Neal Ristow, Our Savior Lutheran Church, Springfield, Illinois. Reverend.

PASTOR NEAL RISTOW:

(Prayer given by Pastor Neal Ristow)

PRESIDENT:

Thank you, Reverend. Reading of the Journal, Madam Secretary. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Thursday, June 16th; Friday, June 17th; Tuesday, June 21st and Wednesday, June 22nd and Thursday, June 23rd and Friday, June 24th; Monday, June 27th; Tuesday, June 28th; Wednesday, June 29th and Wednesday, June 30th, in the year 1988, be postponed pending arrival of the printed Journals.

PRESIDENT:

(Machine cutoff)...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. Motion carries and it is so ordered. Senator Hawkinson, for what purpose do you arise?

SENATOR HAWKINSON:

Thank you, Mr. President. For the purpose of seeking leave to have my name removed as sponsor of House Bill 3810 and the bill transferred to the sponsorship of Senator Philip.

PRESIDENT:

All right, that request is in order. Gentleman seeks leave to show Senator Philip as the chief sponsor of House Bill 3810. Without objection, leave is granted. Senator

Zito, for what purpose do you arise?

SENATOR ZITO:

Same request, Mr. President. To ask leave of the Body to be removed as the chief sponsor of House Bill 2993 and in my place have Senator Jacobs.

PRESIDENT:

All right, gentleman seeks leave to show Senator Jacobs as the chief sponsor of House Bill 2993. Without objection, leave is granted. Messages from the House.

SECRETARY:

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

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

House Bill 3767 with Senate Amendment No. 1.

PRESIDENT:

Secretary's Desk. With leave of the Body, there's been a request to go to page 8 on the Calendar on the Order of Conference Committee Reports. Chair understands that we have to go to a second conference committee on House Bill 3810, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3810.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. If we could dump the first report and have the second committee appointed, I'd appreciate it.

PRESIDENT:

All right, question is, shall the Senate adopt the Conference Committee Report on House Bill 3810. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have

all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. (Machine cutoff)...did you vote? All right, now we're starting to pay attention. On that question, the Ayes are 31, the Nays are 6. Senate does adopt the Conference Committee Report on House Bill 3810 and the bill having received the required constitutional majority is declared passed. Senator Zito having voted on the prevailing side moves to reconsider the vote by which House Bill 3810 was declared passed. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Question now, Senator Philip, is shall the Senate adopt the Conference Committee Report on House Bill 3810. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. We want a No vote, please...

PRESIDENT:

Yes.

SENATOR PHILIP:

...so we can get to the second conference committee report.

PRESIDENT:

The gentleman has requested that the First Conference Committee Report be dumped unceremoniously. Question is, shall the Senate adopt the Conference Committee Report on House Bill 3810. Those in favor vote Aye. Opposed vote Nay. Senator Brookins.

SENATOR BROOKINS:

(Machine cutoff)...will the...will the speaker yield for a question...will the sponsor yield?

PRESIDENT:

Oh, indicates he will yield, sure. Senator Philip, yes.

SENATOR BROOKINS:

What is 3810?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Yeah, at...at the present time it's a reduction in fees for notary publics. We haven't...we haven't come to any conclusion exactly how much we should lower it; right now it's at twenty-five bucks.

PRESIDENT:

All right. Senator Poshard. All he wants to do is dump the report and go to a second conference. We do it all the time around here. Question is, shall the Senate adopt the Conference Committee Report on House Bill 3810. Those in favor vote Aye. Opposed vote Nay. The voting is open. Take the record. On that question, the Ayes are 8, the Nays are 20, 7 voting Present. The Senate...the Conference Committee Report is not adopted and the Secretary shall so inform the House and Senator Philip requests the appointment of a second conference committee. Messages from the House.

SECRETARY:

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

Mr. President - I'm directed to inform the Senate that the House of Representatives has refused to adopt the First Conference Committee Report on House Bill 3810 and requests a second committee of conference to consider the differences between the two Houses in regard to Amendment No. 1.

PRESIDENT:

All right, Senator Philip moves to accede to the request of the House that a second conference committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. Senate does accede to the request of the House. Senator Severns, for what purpose do you arise?

SENATOR SEVERNS:

Thank you, Mr. President. I'd like to request leave...leave of the Body to be added as a hyphenated cospon-

sor on Senate Resolution 1225.

PRESIDENT:

All right, the lady seeks leave to be added as the co-sponsor on 1225. Without objection, leave is granted. Ladies and gentlemen, it is the...almost eleven-thirty in the morning on Friday, July 1st. We're going to begin at the top of the Calendar and proceed as best we can through it and I presume we will still have some negotiating yet to do, but if we can get through the Calendar at least, we don't have to stand around. Direct your attention and ask leave to go to page 2 on the Calendar, on the Order of House Bills 3rd Reading. Page 2 on the Calendar, on the Order of House Bills 3rd Reading. The rules have previously been suspended for consideration of the revisory bill. On the Order of House Bills 3rd Reading is House Bill 2051, Madam Secretary. Read the bill, please.

SECRETARY:

House Bill 2051.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is the Revisory Act which we need to get passed. I...I think that probably says it all. I'd be glad to explain any part of it if anybody has a question.

PRESIDENT:

All right, discussion? Any discussion? If not, the question is, shall House Bill 2051 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. House Bill 2051 having

received the required constitutional majority is declared passed. You'll turn to top of page 6 on the Calendar, page 6, ladies and gentlemen, on the top of the Calendar...(machine cutoff)...Order of Secretary's Desk Concurrence, Madam Secretary, top of page 6, Senate Bill 2141. Madam Secretary, on the Order of Secretary's Desk Concurrence, Senate Bill 2141.

SECRETARY:

House Amendment No. 1 to Senate Bill 2141.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the...of the Senate. I move that the Senate concur in House Amendment No. 1 to Senate Bill 2141. House Amendment No. 1 deletes that portion of the bill which deals with Architectural Engineering Act which was inadvertently left in the bill on...as it relate to sunseting. Now all that is left in the bill now is the extension of the reporting date for the Task Force on Community Mental Health Services and I move we concur in that amendment.

PRESIDENT:

All right, Senator Jones has moved concurrence with House Amendment No. 1. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2141. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 2141 and the bill having received the required constitutional majority is declared passed. Senator Etheredge, I noticed there's an appropriation bill on the Calendar. Is that...I don't know what the intent is on DORS.

I...if I can direct your attention then to page 7 on the Calendar, we'll begin on the Conference Committee Reports that have been filed and I'd remind the membership...(machine cutoff)...sorry, we...we skipped over one. Page 6, on the Order of Secretary's Desk Nonconcurrency is House Bill 849. Middle of page 6, ladies and gentlemen, on the Order of Secretary's Desk Concurrence...Nonconcurrency is House Bill 849, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 849.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I would move that we recede from Senate Amendment No. 1. Senate Amendment No. 1 was put on purposely to get it into a conference committee to see if the department can work out any differences with developmental disability people and try to fund a major program. That was not accomplished. All the bill does in its present form is to call for the study commission...or the study of the problem and to...report back to the General Assembly with their recommendations, and I would move at this time to recede from the amendment so that the study can be done and the committee can report back to the General Assembly and we'll get on with our business.

PRESIDENT:

Discussion? Senator Topinka.

SENATOR TOPINKA:

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

PRESIDENT:

Indicates he'll yield, Senator...

SENATOR TOPINKA:

There is no cost to this now at all, correct? This...by...by eliminating the amendment we are back to the

HB 3100
1st C.C.R.

basic study. Correct?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, the amendment did not even bring the cost into it. The amendment just was put on primarily so that it can go into a conference committee and then the cost would be put on. That is not happening, so we'll remove it, let it go out and let them work on it next...Session.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 849. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does recede from Amendment...Senate Amendment No. 1 to House Bill 849 and the bill having received the required constitutional majority is declared passed. Now, on page 7...Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Would you be kind and register me as voting Aye on that, please? I'm so sorry.

PRESIDENT:

All right, the record will so reflect. Middle of page 7, ladies and gentlemen. We'll go right through the Conference Committee Reports as filed, then we will go to the Order of Secretary's Desk Resolutions and by then, I hope, we will have a supplemental Calendar to address. On the Order of Conference Committee Reports, Madam Secretary, the Conference Committee Report on House Bill 3100.

SECRETARY:

First Conference Committee Report on House Bill 3100.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The Conference Committee Report on House Bill 3100 reflects initially an agreement that has been worked out over two years. As many of you recall, the Solid Waste Management Act was declared unconstitutional in 1987 because the court decided that money was collected without regard to discretion as to categories that were included or excluded. This bill now reaches an agreement between the major parties who were involved. There is only one group, a waste disposal industry, that is opposed to this part of that bill. In addition to that, this also enacts a bill...legislation that will create the Hazardous Waste Crane and Hoisting Equipment Operators Licensing Act. Let me explain the part of the bill that affects the settlement between DuPage County, Cook County and the rest of the state to reenact the Solid Waste Management Act. The major dispute between the party was the cap on disposal fees. DuPage County had raised their fees to seventy cents per cubic yard. This bill agrees to let them keep collecting that money at seventy cents per cubic yard. Other local units of government will collect forty-five cents per cubic yard, the state will collect forty-five cents per cubic yard. In 1992, the local rate will go up to sixty cents while the state rate goes downward. The city, DuPage County, the Environmental Protection Agency, the environment...E and R and other environmental groups have signed off on this particular report. The bill also creates and requires operators of a crane or hoist driven by any power when used in lowering or hoisting personnel or materials involving disposal, clean up or handling of hazardous materials only to have a license issued by the EPA, and the reason...one of the major reasons for this is that we have now several sites being cleaned up

in the state where out-of-state personnel are coming in. We don't know if they have licenses or what standard is used to license them, they're working in Illinois and we don't know if they're safe or not. I would be glad to try to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is,...Senator Donahue, for what purpose do you arise?

SENATOR DONAHUE:

Well, thank you, Mr. President. I have a question about this. I know that there's...this is one of those big bills that's got a lot of things in it and I have a...a question about the Licensing Act for crane operators. This is something new and I know that many of the business groups are very, very opposed to this, and I'd like to know what...why are we doing this at this late stage?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, Senator, I'm not sure which business groups you talked to, but there's only one business group and lobbyist who is opposing this, and basically, this is part of the agreement to let DuPage County receive the seventy cents that they have been collecting for two years. DuPage County is getting a windfall basically in the first part of this bill by being able to keep seventy cents. The second part of the bill is added to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Oh, I beg your pardon, Senator Welch...Senator Donahue.

SENATOR DONAHUE:

I'm...I'm not addressing that part, Senator Welch. I'm talking about the licensing of crane operators, and from what I understand, there are numerous lobbyists and organizations

that are very concerned about this legislation or that portion of it, not the first part but the first...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator, let me...let me try to clarify. On page 3 of the report, there's a paragraph added at the request and...insistence of many of those lobbyists you are talking about, and what it does is it restricts the Act and says this Act does not apply to any employee of the owner, operator or principal responsible party of a manufacturing facility undergoing cleanup pursuant to CROLA or the Environmental Protection Act. This was one of their major objections and...and was inserted at their request. At this point, most of the opposition has been reduced. I'm not saying it's totally removed, Senator, but most of it has been reduced.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Well, I would just say that I realize that it's very limited in scope and it's...very limited, but this is an opening of a door next year and the year after and I oppose this part of the legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. A...a question of the sponsor if he'll...he'll yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Maitland.

SENATOR MAITLAND:

Senator, what you've told us who...who isn't included. Who...who really then is included as...as a crane operator? What crane operators are now included?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, it involves two unions, one is the operating engineers; number two is the...the laborers locals and the requirement is that they have to be working at a hazardous waste site dealing with hazardous waste material. It doesn't apply to the crane operator across the street, for instance, working on the library. Has to be hazardous waste that they're dealing with and they're operating a crane, lifting it up or moving it down which...which could be dangerous.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Well, I...I guess I don't speak this language very well but...but...again, I guess, it begs the question, why then...why are we licensing these people? What's the...what's the concern here and who's going to oversee the licensing? Is there...is there some standard here or something that we...going to abide by?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

The licensing will be done by the Environmental Protection Agency, and let me give you a specific instance of why this is necessary. In order to get a license in Illinois, you have to have forty...at least forty hours of training dealing with hazardous materials, hazardous waste. In LaSalle, Illinois, we have a superfund site. Now that the federal government has come in with their superfund to clean it up, you or I cannot get on that site. We...unless we have forty hours of training because it's so dangerous...the PCB's are in the air, they're on the ground. If you...if you get involved with them it could be...causing diseases. The

reason we're doing this is this, the state led a contract to clean up that site. Westinghouse got the contract. They have a subsidiary from Georgia. They brought in workers who are working on this site. They have not met any standards of Illinois as far as the forty hours of training to be on that site and, frankly, we're not sure what kind of training they have. In some states, they show them a two-hour film of how to work on hazardous waste sites. In Illinois, you've got a forty-hour program run by these two unions that practically anybody could go to, and they've invited me to attend...matter of fact, to find out what it's like. But the reason we're doing this is to make sure that the workers on that site are protected. They're working in Illinois and possibly could sue Illinois. Number two, we want to make sure that the people who are on there are trained to handle it, because what they are doing is they are going up and down the streets of LaSalle, going into residential homes and cleaning them, they're going and scraping the yards and we want to make sure they know what they're doing. We don't want some fly-by-night operation doing that. So, the idea is that if the EPA license them and make sure that they've taken at least a forty-hour course, not only will the employees be protected but the residents where the cleanup take...takes place are protected as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Maitland.

SENATOR MAITLAND:

(Machine cutoff)...just in conclusion, Mr. President. Senator, this may well be the right thing to do. I...I really don't know, but I...I really, I guess,...has this been before us before this year...have we ever had this before us?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Welch.

SENATOR WELCH:

No, I don't believe so, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Maitland.

SENATOR MAITLAND:

(Machine cutoff)...then, finally, in...in conclusion. This...I...I just think, Senator, maybe you ought to do something...we ought to come back with...next year and...and deal with in committee and find out if it, indeed, is the right thing to do and then deal with it then. I...I would suggest we perhaps reject this report and come back with a second conference committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in strong support of this bill and in particular the part...authorizing crane operators or certifying crane operators and laborers in this area of toxic waste cleanup. It's a very dangerous business. It's not a business that we should let just any fly-by-night operation come in without any training or any background in...in working in this area. The operating engineers, the laborers have very specific training programs to put their people through the necessary background and training to handle these kinds of materials, and I don't think there's anything wrong in making sure that we put people on the job who can do this and do it right. We're talking about in some cases here life and death issues. So, I rise in strong support of the...the bill and in particular this part of the bill. I think it strengthens the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, in my district, the North Shore Sanitary District currently purchases fly ash from public utilities which it mixes with its sludge before placement in its own landfill. Mixing fly ash with sludge is environmentally beneficial and saves space for more dumping. Am I correct that this use of...fly ash by the North Shore Sanitary District in its landfill is not subject to either the state or local fee referred to in your bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator, that was the question you were supposed to ask on the bill I had yesterday, on Senate Bill 1860, and...and the answer to that question was supposed to be yes, that's what the EPA has said, but...but you're asking the question on the wrong bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, I was told it was on this bill. That's why I'm asking you, Senator. Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator...I'm sorry, Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I merely want to echo what some of my colleagues have said about this licensing of crane operators. I...I think that we have introduced this aspect of this bill very late in time and I think that it is going to start a precedent and I think it's only the foot in the door and I...I...I really have to rise in opposition to that

aspect of the bill. I think the...the rest of the bill is fine as it is now but I...I do have a problem with the licensing of crane operators.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Brookins.

SENATOR BROOKINS:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Brookins.

SENATOR BROOKINS:

How do you become qualified to...to...to get licensed as a crane operator under this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, there are five criteria, basically, Senator. Number one, you have to be eighteen years of age. You have to obtain a certified record of forty hours or more of training to work with hazardous material, training that's approved by the EPA, state or federal. Number 3, you have to have operated equipment and hazardous material handling for a minimum of four thousand hours. Five...or four, pass an authorized EPA written examination and, five, not been in violation of operators' guidelines.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Who gives this training?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

There are two training classes, I understand, one run by the operating engineers and one run by the laborers union.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

So, if I have a young person living in my district somewhere, I can send them out to that school and they'll train them at...it's a public school? How do you get in the school?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I assume so, Senator. I don't know if they have to be a member of that union or not. I don't handle much union legislation to tell you the truth. I...they invited me to attend the school, so maybe the answer should be yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Well, to the bill, Mr. President. I can envision that we will be licensing people that cannot obtain the qualifications because it seems as though it's a closed operation; that means that people from my district cannot receive this training and if they cannot receive this training, they can't get licensed because they will not have the experience, they will not be able to pass the exam or will they be qualified. So, I recommend that we oppose this bill until such time as we can determine how this can be opened up to all and all citizens of the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in strong support of the First Conference Committee Report on House Bill 3100. I'm sure you'll recall that for about two years around here we've had the proposal before us to afford tipping fees or change in the tipping

fees for the County of DuPage as it...as...in respect to their forest preserve district, and for a long time the City of Chicago had some strong objection. Those objections have been worked out, accommodated, assuaged and the city has withdrawn its objection. In addition to that, we have been discussing for a number of years the licensure of those members of the laborers union and the crane operators who deal in hazardous waste sites. It is extremely important if we are to retain jobs in Illinois that this provision, in fact, be included. Now the fact of the matter is, this is part of an overall agreement and I would urge the members on this side, in order to facilitate our departure from this fair city, to vote affirmatively for this agreement. There is an agreement. I have agreed that we would try to be of some help and pass this, and I'm sure you're all aware that thirty-six affirmative votes are required and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I have a question as far as on the Conference Committee Report. The report that I have filed on my desk does not have a signature sheet, in fact, it only has twenty-seven pages, and I was wondering how...how extensive is this report and who's signed it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator, there are thirty-one pages to the report. Six Democrats signed the report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well,...I'm not the only one that only has twenty-seven

pages and I would like to know what happened with the last four pages?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR LECHOWICZ:

...my question is now to the Chair, when it was distributed and how come we're short some pages here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...well, I don't know the answer to the second part of your question. I...I assume...it was distributed this morning. Senator Welch, perhaps you could enlighten us.

SENATOR WELCH:

It...it was filed last night and distributed last night, it's my understanding. I don't know where the four pages went to but most of the copies have thirty-one pages.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...I believe the Conference Committee Report was circulated last night while we were in caucus, that's why there are no Republican signatures. I certainly concur with Senator Rock. We've been working on this for two years. The language has been tightened up and I hope that everybody would vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

I was just looking at my report and if you will look at page...no,...wait a minute...if you will look at page 18, the next page is twenty-eight, the next page is twenty-nine, the next page is thirty, the next page is thirty-one with the signatures and then you go back to page nineteen. It's just been misstapled together.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Welch, you may...may close.

SENATOR WELCH:

Thank you, Mr. President. This is a major piece of legislation for the environment...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins, for what purpose do you arise?

SENATOR BROOKINS:

We got a report that's half filled. It's...it's twenty pages, there's ten pages missing out of this and my point of order is, how can we be intelligent on a bill with...with ten pages missing out of it and we certainly should know what's them twenty pages and I don't think that under the...whatever appropriate rules that this...that we can pass a bill like this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Brookins, it's my understanding that the pages were simply...misstapled. The...the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3100. 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 49, the Nays are 4, none voting Present. The Senate does adopt the First Conference Committee Report and the bill having received the required constitutional majority...majority is declared passed. 3199, Senator Etheredge. Senator Etheredge, 3199? Page 7. House Bill 3216, Senator Berman. Senator Berman on the Floor? Senator Rock, for what...what purpose do you arise? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I'm sure everyone is aware that the education folks are again over in the Speaker's

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Office. I'd ask leave that when Senators Schaffer and Kustra and Berman come back that we can go right to their order if they wish.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request. Is leave granted? Leave is granted. It's so ordered. House Bill 3444, Senator Keats. House Bill 3444, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3444.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Thank you,...thank you, Mr. President. I will say what's in the entire bill because some have been concurred with in the House already and...and I'll mention so you're aware they're there. There was...the original bill allows...last year we made a mistake requiring mailings to noncertified personnel to go out in...in the more expensive manner, we use a cheaper method to mail to the teachers. So, that what we're doing is saying we will mail the same way. That's the basic bill. The first amendment had to do with Kaskaskia schools was removed because as it turns out was no longer needed, although the House did concur in that amendment but it...it's removed. Next amendment had to do with downstate school consolidation. That passed 56 to nothing. Not a big thing. Next one has to do with solving the Homer problem to make sure that they have a tax base so that they can take care of their high school students. And the last amendment has to do...again, it's been concurred with in the House already, had to do with the Chicago school system and leasing property and it was put on at the behest of Senator Berman. That is what is in the bill. I would gladly answer questions if anyone would like to ask them. If not, I solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the...the Senate adopt the First Conference Committee Report on House Bill 3444. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The House does...I'm sorry, the Senate does concur with the First Conference Committee Report on House Bill 3444 and the bill having received the required constitutional majority is declared passed. Page 8, House Bill 3448, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3448.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr...Mr. President and members of the Senate, this conference committee includes the normal conveyance that we have under IDOT which was in the original bill. There was some disputed areas that was added in amendment in the House which we took off...the agreement between the leadership was the conveyance of six acres in Livingston County from corrections to American Legion...on appraised value, it...it's in a swampland or et cetera. It also has the easement bill for IDOT which was Senate Bill 1978, also it...it releases an easement in Madison County by the payment of nine thousand dollars to Hal...Hal Klaus to the state. Then next it corrects an error that was done in Public Act 85-247, exchange of property in Galena for access to the former President U.S...Ulysses Grant and this...so they can get the title changed. They described it correctly but had four lots in it or something, anyway the title insurance people have got to have it. The last part is Department of Conservation conveys

deed to property in Jefferson County to Jefferson County for public education purposes. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, would the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Savickas.

SENATOR SAVICKAS:

I understand there are two parcels in this package, one in Galena and another one, that have not been appraised or there's no appraisal on them and we're just giving them away. Could you explain a little about those two parcels that aren't appraised and why they're in the package without appraisal?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, the...I...I don't know about the second apart. The part in...in Galena was exchange of like amount of land between Historical Preservation Site Agency and the land owner to have access...get into parking for the former President Grant's Home and the person who owned that...people would trespass across it, the state owned land that...adjoined his property that they didn't need that went with the old homestead or something, I really can't explain that part, but when we passed the Act in '85, we found it's six lots rather than four that was in the description. The legal boundary was correct in the State's Statute but when the title insurance started to look at it when the man went to get a loan to build something on it, the fact we had four lots rather than six lots threw it in jeopardy and this is to correct that problem...in the original swap that was explained to me by Historical Preservations was a...exchange

of like amount of square foot of land, one to the other, and apparently was no need for appraisal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, I guess that's the problem, just to...for the square footage the two pieces could be totally different in...use and value and here we're saying, well, if you give ten square feet, you get ten square feet, it could be in different area, the price could vary tremendously and I think it's a bad policy to exchange any...any parcels of land without appraisals on both parcels.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Davidson.

SENATOR DAVIDSON:

In trying to explain to you, it's adjacent property. Now you want to get people access to...to a facility which we, the state, own which...then the person has the right to shut it off. The...I don't know whether it was appraised or not appraised when this happened now three years ago...or two years ago, but the fact that there was an agreement, it was worked out due to an error of four being put in instead of six is the reason this has to be corrected to satisfy the title insurance and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, would the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Vadalabene.

SENATOR VADALABENE:

Yes, Senator Davidson, where is the property in Madison County?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

I honestly can't tell you, Senator Vadalabene. All I have is was to release an easement which IDOT...this is IDOT's request, there was an easement that IDOT released to a Hal...Klaus, K-L-A-U-S, which he paid a sum of nine thousand dollars to the state for the release of that easement. Exactly where it's located, I can't tell you 'cause I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, he indicates he will yield. Senator Welch.

SENATOR WELCH:

On page 1 of the Conference Committee Report, we're transferring for the sum of one hundred dollars about an acre of property to the Central Illinois Public Service Company. Can you tell me why we're giving an acre of property for a hundred bucks to a utility company?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

All I can tell you is this was in IDOT's originally four transfers. These were...had gone through the normal procedure of appraisal and et cetera and this is the recommendation...the original bill went out of here 54 to nothing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...discussion? If not, Senator Davidson may close.

SENATOR DAVIDSON:

Just appreciate a favorable vote.

SENATOR DAVIDSON:

HB 3470
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All right, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3448. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 1 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3448 and the bill having received the required constitutional majority is declared passed. House Bill 3470, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3470.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr...Mr. President, this bill has already failed in the House, so I would like to simply ask for a second conference committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, I hope everybody's heard that request. You want to repeat that, Senator Rigney?

SENATOR RIGNEY:

Do we have to take a vote on this or just simply ask for a second conference committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney, I think we have to dump it in order for...Senator Rigney.

SENATOR RIGNEY:

Okay, then I would simply ask that we reject this report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3470. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Take the record. On that

question, the Ayes are 12, the Nays are 23, 6 voting Present. The Conference Committee Report is not adopted and the Secretary shall so inform the House. House Bill 3548, Senator Karpiel. Senator Karpiel. House Bill 3548, Madam Secretary. SECRETARY:

First Conference Committee Report on House Bill 3548.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill...or...the Conference Committee Report on House Bill 3548 contains the original language of the bill which provides that the Pollution Control Board may consolidate into a single rule making all federal regulations adopted that are identical in substance. Amendment No. 2 that was put on in the Senate gives authority to the IEPA director to take remedial measures regarding a public water supply if there is a release or substantial threat of release of a hazardous substance into...potable water and Amendment No...I mean, the Conference Committee Report also includes language that provides that individuals that have applied for an adjusted RACT emissions limitation who have filed a timely notice of intent to petition prior to June 8th, 1988, will be subject to separate regulations that the Pollution Control Board is authorized to adopt. This language allows a specific company, the company that we talked about before that is in Senator Savickas' district, to apply for a...an adjusted emission's standard. This bill has been...we've worked on this quite a bit and I...and everybody has signed off on it, the EPA, the Pollution Control Board. I don't believe there's any problems with it. I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator...Senator Jacobs.

SENATOR JACOBS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

She indicates she will yield. Senator Jacobs.

SENATOR JACOBS:

Senate Amendment No. 1 has been receded from then in this conference report?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpel.

SENATOR KARPIEL:

The one about cleaning up the hazardous...yes, it has.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

About the...about the car wash or the truck wash?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpel.

SENATOR KARPIEL:

That's no longer in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3548. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3548 and the bill having received the required constitutional majority is declared passed. House Bill 3636, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3636.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. House Bill 3636 does four things. First of all, in original bill, it's the grant amounts awarded to library systems every year by the Secretary of State. It has been increased from the current one dollar...29.3 cents to one dollar and 32.19 cents per capita and that squares it with the appropriation which we have passed. It has language reflecting the computer updating and retrieval systems for the Secretary of State which was in House Bill 1602 from last year. It allows the State Genealogical Society to have a couple of desks and space. No appropriations requested and no expense in this and the Secretary of State supports this change as well. And the Illinois Library System Act is amended to elaborate on the contractual powers so as to allow the military personnel on military posts, and most specifically at Fort Sheridan, to be allowed free use of the public library. These are the four things that it does. It has passed the House and I would recommend its adoption to the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3636. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3636 and the bill having received the required constitutional majority is declared passed. House Bill 3653, Senator Etheredge. House Bill 3683, Senator Brookins. Senator Jacobs, for what purpose do you arise?

SENATOR JACOBS:

Mr. President,...I don't think...Senator Etheredge had an opportunity to give the sponsorship of 3653 to me and if he would relinquish that at this time, I would be more than

happy to proceed with that bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, I seek leave to transfer sponsorship of House Bill 3683 to Senator Jacobs...53.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3653, you've heard the request to transfer sponsorship to Senator Jacobs. Is that...without objection, so ordered. So, on the Order of Conference Committee Reports, we'll take up House Bill 3653, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3653.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. This Conference Committee Report amends the Municipal Code to change the deadline authorities of a municipality to file a tax levy ordinance from the second Tuesday in September to the second Tuesday in December and covers a couple of other amendments in regards to a back-door referendum for cities only or county park districts under five hundred thousand population with control over an aquarium and...or a museum and some other language changes. It's my understanding that this has been approved by leadership on all four sides and would ask for its approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Question about the...about what cities are involved here, Senator. I think, for example, of the City of Sterling which is less than five hundred thousand. To my knowledge now, they don't have a

museum. How would they access this...this levy through their park district?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

First of all, Senator Schuneman, you...it would be necessary that you had a park district, number one. Number two, it would be necessary that you have a museum or an aquarium to do so. Now if...if you would institute a museum or an aquarium, then I would assume you could take advantage of this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

So, I guess that's my point that with all the small city park districts around the state that do not presently have museums, that if they establish a museum, then they're eligible for this...for this levy. Is that what you're telling me? Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Again, I rise in strong support of the First Conference Committee Report on House Bill 3653. This is a matter of some interest to the leadership. It is, I hope, part of the agreement and, as such, I would hope that we would lend our affirmative support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Senator Jacobs, in this analysis it says, "Permits a coroner who is a pathologist to perform an autopsy." Question I have, a normal charge by a pathologist for doing an autopsy is this person...if they hold both offices, both a pathologist and a county coroner, is he...if this passes and becomes law, is he allowed to charge the county the normal fee that a pathologist charges over and above his salary as coroner?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Not in his own county. In another county, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you. Just a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

We...we read that these are front-door referendums. Does that actually mean a vote of the people or is this by a hearing or some public hearing or is it a...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

The three referendums that you are in reference to are front-door referendums, votes by the people.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3653. 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 45, the Nays are 9, 2 voting Present. The House...the Senate does adopt the First Conference Committee Report on House Bill 3653 and the bill having received the required constitutional majority is declared passed. House Bill 3683, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 3683.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. 3683 is the bill in conference committee which now includes provisions...in originally on Senate Bill 1516 which regard...with regard to disclosure of on-site waste operations. As many of you recall, on-site disposal of waste is not reported or permitted by the State EPA. What we are doing with this is allowing the EPA to take an inventory of what may be out there for potential future problems or potential future regulation. In addition, I might point out, the language is agreed to by the Environmental Protection Agency, the Chamber of Commerce, as well as environmentalists. Secondly, the bill authorize the Environmental Protection Agency to conduct a feasibility study on the collection and disposal of household hazardous waste. Third, the language in this bill cleaning up the Underground Storage Tank Act was initially in House Bill 3620 but was not prepared in time. What it does is it provides for procedures for appeal and directs the fire marshal to follow federal regulations. To my knowledge, there's no opposition that I know of to these provisions. I'd be glad to try to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3683. Those in favor will vote Aye. Those opposed Nay. The

voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3683 and the bill having received the required constitutional majority is declared passed. House Bill 3705, Senator Savickas. House Bill 3739, Senator Degnan. House Bill 3770...I'm sorry, 3739, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 3739.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Conference Committee Report No. 1 on 3739 does many things. We have distributed a fact sheet yesterday. Let me just briefly read, "It repeals the crime of permitting the sexual abuse of a child from the Criminal Code and recodifies it in the Child Care Act. It requires law enforcement agencies to transmit to the state police fingerprints and descriptions of all minors taken into custody for unlawful use of weapons or forceable felonies. It defines crane games and exempts from them...exempts them from antigambling laws. It grants Department of...Corrections personnel all police powers regarding investigations of alleged misconduct of employees or alleged violations of parole. It deletes a provision that a member of the Prisoner Review Board may not engage in any other business or profession." I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3739. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3739 and the bill having received the required constitutional majority is declared passed. Page 9...page 9 of your Calendar, Senate Bill 1563. Is Senator Holmberg on the Floor? (Machine cutoff)...Bill...1563, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 1563.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Senate Bill 1563 as it left the Senate, authorized school boards to enter in agreements with public and private colleges to establish and operate regional math and science academies during the summer months and it passed unanimously. As it came back from the House with an amendment, it is now the bill that you have all talked to your constituents about, although you may not have known its number, that the top priority for the Legislature and the Governor should be education funding. This legislation gives a minimum floor for a percent of the dollars going to education beginning in Fiscal Year 1990. Basically, what it does is that for elementary and secondary education, it takes the Fiscal Year '87 appropriation as an average which was 26.6 percent. Also added into the language is a minimum floor for higher education which is 12.6 percent, also sort of an average of the last ten years of...Fiscal Year 1987. For this past year, we would have had a hundred and thirty-nine million extra dollars. It gives us that assurance that we will continue funding at the level we have been funding and establishes minimums. We can certainly add to that but at least we would be assuring our constituencies that we have a base amount for education as we begin the

budget process each year. The Constitution says the state has the primary...the Constitution says the state has the primary responsibility for funding. Just as we took a look at the way we were funding pensions and gradually worked towards some...some statement of what we wish to do there, I think this is another important step in giving this minimum floor to education, and I ask for your support.

PRESIDENT:

All right, discussion? Any discussion? By the way, a gentleman from the Chicago Tribune has asked leave to take some photographs during the Session. Without objection, leave is granted. Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to this Conference Committee Report. The...and I certainly understand the intention and it is a good one; however, I think that there are several reasons why we should oppose the Conference Committee Report. First of all, it does interject a...a degree of inflexibility into the process of budget making and in the process of our decision making in regard to appropriations and I think that's unfortunate. Even more importantly, however, I think is the...when we look at this from...the way in which it will probably play out in the future that this target percentage will become...not a floor but it will become a ceiling. So, when looked at from the perspective of the education community, I think this is a...a bad move for us to...to make because floors...this kind of a floor frequently does become a...a ceiling very, very quickly. I would...I would ask for a No vote.

PRESIDENT:

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman...question to the sponsor,

please.

PRESIDENT:

Indicates she will yield, Senator Smith.

SENATOR SMITH:

Senator Holmberg, will you please tell me the mechanism of...of these timetables that you have here? Is this for across the State of Illinois or is this for certain areas?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

This is statewide, Senator Smith. This...this will be our state budget.

PRESIDENT:

Senator Smith. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise rather reluctantly against this Conference Committee Report. I have been down here nine years and have spent every...some time in every one of those years trying to explain what happened to the lottery money. Finally we passed a bill out of here which Senator Schuneman, I believe, sponsored. It still hasn't satisfied a lot of people, including my mother who thinks that money is lying in somebody's back yard and one of these days we're going to find out what really happened. I think this thing is going to create exactly the same kind of problem in the future, and let me explain to you. Senator Etheredge is correct, this is going to become the ceiling rather than the floor and, frankly, some of you may have gotten the distribution sheets on our so-called two hundred million dollars for education. Well, I am proud to announce with our new two hundred million, my district is going to get six hundred thousand less than last year. Now, what's going to happen is we are going to give the perception to all of these school districts that by doing this they're all going to get more

money, just like the lottery is...automatically going to give them more money and, in reality, it's not going to do it. The other thing is that the real evil of educational funding is not the level of funding, it is the way the money is distributed. This does not address that important issue and, in fact, if we do address that issue, this factor will then have an adverse impact on the resolution of that issue. I urge that we not support this Conference Committee Report.

PRESIDENT:

All right. Our friend Hugh Hill has requested permission to tape the proceedings. Without objection...further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I rise in opposition to the bill for an interesting reason. I have been on the Education Committee for a dozen years now and I have normally tried to make educational funding my personal top priority as most of you have, but one of the great problems with this type of amendment is that we have committees where you have a few of us who sat there a couple of years and probably know a little bit about it. These kind of amendments ought to come in front of those committees. Now, we all know in this process that every now and then a bill emerges in a conference committee that we've never seen in front of our committees, that happens, we don't like the process, it happens, but this particular one you really have got to look at the long-term effects. To take averages when the educational spending has been declining if, as other speakers have said, this ends up being the top instead of the bottom, which is what usually happens, and educational funding has been declining, we are at an average that clearly is not what people are going to want. Many of us have been trying to increase funding in this area. This in reality will finally end up being a cap at a lower level than we really wanted. That's one issue to

consider. A second issue. For the overwhelming majority of the members of this Legislature, the amount of money we appropriate is absolutely irrelevant, it depends upon where you fit into the formula, and we could...I've often kidded in my district, we could quadruple the amount of money that we put into the state educational funding formula and my district would still not get fifty percent funding. It's all a question of formula, the exact dollars is absolutely irrelevant. For those of us who've been on the Education Committee a long time, I'll use Chicago as an example, neither positive nor negative. All we do is make one or two minor adjustments and the City of Chicago's share will vary ten and twelve percent of their own money, I'm not arguing good or bad but I'm saying one or two minor adjustments, having nothing to do with total appropriations. We make a mistake by targeting total appropriation. Our practical problem is how was that money distributed; covering mandates, covering school reform, directly into state aid, in higher education what areas it covers. This is in reality puff with no substance, and as I said, maybe if the education committees had seen this and had time to consider it, you never know, we might have thought it was a good idea, but when you're never allowed to see these things in committees among the people who after years of being on those committees have become somewhat expert, I think you'd run the chance of causing far more problems than you really meant to. I would urge you to vote No.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. It appears that we're going to be adding about a hundred and thirty-four million new dollars to elementary and secondary in our appropriation process for this year...for the next year, but you're mandating in this legislation that we put in at least two

hundred and seventy-six million new dollars. Now, we're...we're starting out with a deficit. So, I don't see that this is going to serve any useful purpose, Senator Hickey. It...it's a good concept but there's...we're starting out only appropriating half of what we should be appropriating according to this legislation. So, I...I think it's...it isn't meaningful at all.

PRESIDENT:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I...I, too,...reluctantly rise in opposition to this...this concept. I would suggest that if we in the Legislature had a...a tight fiscally...appropriations process like they had in Congress, no disrespect to any of our members, that this perhaps would be workable; but I have to agree with some of the other members on the other side of the aisle that it's certainly a laudable concept, it's perhaps...certainly sudden should...should occur but I think, Senator Holmberg, I think, for all practical purposes, we ought to dump this Conference Committee Report and go to a second one and see if we can't get to some other kind of agreement with respect to Conference Committee No. 1.

PRESIDENT:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I hear these words of inflexibility and ceiling versus floor and who's getting less and who's getting more. I think all that Senator Holmberg is trying to do is to establish to the Governor and to everyone else that, damn it, if we're going to say that our number one priority is education, let's do so. I would suggest that maybe Senator Holmberg hold this bill till the fall and see what's going to happen.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...I can understand the concept as far as the adequate funding for education, but there's no way you can bind future General Assemblies in the appropriation process and that's what this conference committee would be recommending that a certain percentage in dollar amount be used for elementary and secondary education, and being in the appropriation process and being down here for a good number of years, that's a variable that has to be adjusted and contemplated by the existing membership, and for that reason, I'll be voting No on this Conference Committee Report.

PRESIDENT:

Further discussion? Further discussion? Senator Holmberg may close.

SENATOR HOLMBERG:

Thank you, Mr. President. I'm listening to the debate on the Floor. I'm hearing what my colleagues are saying. I just want to remind you that each spring we all come to Springfield with very good intentions. We've told our constituents that we're going to set aside some money for education, and sewers and roads and correction facilities all intervene and we go back home and our constituents say, where is the state money for education? I think, perhaps, in the context of the debate today, this particular piece of legislation needs to be put on hold. I would ask that we take it out of the record but I...my intent is there. I will be back. I will be watching the amount of money going into education.

PRESIDENT:

All right, take it out of the record, Madam Secretary. Senator Welch on the Floor? Senator Welch. On the Order of

Conference Committee Reports, the Chair skipped one, that's Senate...the Conference Committee Report on Senate Bill 370, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Second Conference Committee Report on Senate Bill 370.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Senate Bill 370 is a Conference Committee Report that was requested by one of the state departments in particular to allow liquor to be sold at Dickson Mounds Museum. The Illinois State Museum in Springfield and the Dickson Mound Museum in...in Lewiston could be sold at retail or dispensed by an agency of the state provided that the agency obtain written permission to sell or dispense from the controlling government authority or by a not-for-profit corporation. In addition, the bill allows for special event licenses to be issued in certain circumstances. Those circumstances...such that special event license shall permit the licensee to purchase beer and wine from Illinois licensed distributor for consumption at the location on the dates designated for the event, being a special event...it's issued for a specific time period not to exceed ten days per licensee in any twelve-month period. And I believe that is the...that is the extent of the Conference Committee Report.

PRESIDENT:

Discussion? Any discussion? Senator Hudson.

SENATOR HUDSON:

Senator...would the Senator respond to a question?

PRESIDENT:

Indicates he will yield.

SENATOR HUDSON:

Senator Welch, would you explain a little more in detail just what this permits the young people to do at

these...these museums? I mean, is this a part of the Say No To Drugs Program per chance?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Senator, this a proposal by one of the Governor's agencies that they asked me to put on a bill. So, I think that question should probably be directed towards the Governor and his agencies, but let me explain it. Alcoholic liquors may be sold at retail at the Illinois State Museum in Springfield or the Dickson Mounds Museum in Lewiston; in several other buildings throughout the state this can be done. This is just adding two more. This has nothing to do with encouraging anybody to do anything with the exception of utilizing, for most of the people of the State of Illinois, governmental buildings and this was requested by the Governor's Office.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate adopt the conference committee...Senator Dudycz.

SENATOR DUDYCH:

Yes, Mr. President, a question for the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Dudycz.

SENATOR DUDYCH:

Senator, I'm reading my analysis. It says the state commission may issue a license to an applicant for a special event defined as an event conducted by an educational, fraternal, political, civic, religious or non-profit organization. What would...what do I need a license for? I don't understand. Could you explain to us a little...a little further?

PRESIDENT:

Senator Welch.

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END OF REEL

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SENATOR WELCH:

Well, my understanding is that to serve liquor you have to have a license. If you have a special event like polka in northern...northwest side of Chicago, my understanding is, you have to have a license. In the past, this has been going on without official authority and it's my understanding that the state would like to have specific written authority as to what the limitations are on issuing those particular limited permits for...for ten days or less.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill...Senator Degnan.

SENATOR DEGNAN:

Yes, thank you. A question.

PRESIDENT:

Indicates he will yield, Senator Degnan.

SENATOR DEGNAN:

My analysis says it also deletes a provision permitting a manufacturer, distributor or importing distributor to furnish to a retail licensee coasters or trays to be used in a retail establishment.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

I'm sorry, Senator, you're correct. It deletes a provision permitting a manufacturer, distributor or importing distributor to furnish to a retail licensee coasters or trays for use in the retail establishment.

PRESIDENT:

Senator Degnan.

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SENATOR DEGNAN:

Does this mean the Shlitz people cannot give coasters to the saloons in my neighborhood?

PRESIDENT:

(Machine cutoff)...Welch.

SENATOR WELCH:

Well...well, my understanding is that that was permissive and now the...but I think you're correct, Senator.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Can I understand the wisdom of that?

PRESIDENT:

(Machine cutoff)...Welch.

SENATOR WELCH:

The wisdom is a House member gave me that language.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

I would suggest we send it back to the House member to redefine the language.

PRESIDENT:

Further discussion? Further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 370. 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? Take the record. On that question, the Ayes are 6 and the Nays are 40 and none voting Present. The Conference Committee Report is not adopted and the Secretary shall so inform the House. 1615, Senator Welch. On the Order of Conference Committee Reports, page 9, there's a Conference Committee Report on Senate Bill 1615. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 1615.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you. I think I'll stick to environmental bills. The language in 1615 regarding due diligence on the part of buyers of contaminated property is basically an exemption requested by the Banker's Association so that when they foreclose on property and it comes back to them, they don't pick up the liability for what the owner of the property may have had which would be above and beyond the...amount of the mortgage. Secondly, the bill establishes a decommissioning trust fund for nuclear power generating plants. This language was drafted, my understanding is, by Commonwealth Edison together with the House sponsor and...and is acceptable to both the utility groups, Citizens Utility Board has signed off as has Commonwealth Edison. Third, requires that certain operations disposing of on-site waste must disclose the type of operation, materials being disposed of and expected life of the disposal site. This is similar to what is in another bill that we passed but what this language does is...it's been agreed to by the Environmental Protection Agency, the Chamber of Commerce as well as environmental groups. My understanding is that this is basically an agreed bill and I know of no opposition to it.

PRESIDENT:

Discussion? Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I have been asked to tell my side of the aisle that unfortunately our...our analysis is incorrect. Originally, this was the bill that was going to have the...the...the crane operators on, that is not in it, and the bill is a...a good bill and I would suggest you support

it.

PRESIDENT:

Further discussion? Senator Karpiel.

SENATOR KARPIEL:

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

PRESIDENT:

Indicates he will yield, Senator Karpiel.

SENATOR KARPIEL:

Senator Welch, I would just like it on the record that, you know, I am concerned that the language in this just might pertain to my Kerr-McGee situation in west Chicago. Now, I'm quite sure that it does not pertain to that but I just want to have it on the record that this is not...would not take them into affect...it would not affect them, and that if it does, we could have the Governor amendatorily veto it before it gets signed.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Senator, it is our intention to not affect the milltailing problem that Kerr-McGee has in your community. Let me read the language that we think you are referring to which we believe does not apply to that situation. In paragraph D on page 3 of the bill, "Nothing in this paragraph 6 shall affect the liability under this Act of a defendant who by any act or ommission caused or contributed to the release or threatened release of a hazardous substance which is the subject of the action relating to the facility." It is our belief that this does not apply to the Kerr-McGee situation. It is not...intended to apply to that situation and should the Governor's Office agree that it does apply, we certainly would support modifying or removing that language as the case might be.

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

Thank you, very much.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question.

PRESIDENT:

Indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator Welch, you recall we had Senate Bill 2010 for...environmental lien by the EPA. Does this Conference Committee Report weaken the position of the EPA in the matter of knowledge...prior knowledge of the...any hazardous...substance?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

No, Senator, the only effect this has in that area would be that on a mortgage...foreclosure or a deed in lieu of foreclosure, the bank would not be responsible for the added liability of the property coming back to it where it was not at fault and had no particular knowledge of the property having that problem with the...with the waste on it.

PRESIDENT:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

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

PRESIDENT:

Indicates he will yield, Senator Brookins.

SENATOR BROOKINS:

Senator Welch, under this bill, if property is given to a charitable person or church or what have you and is found to

have hazardous waste on it, who is liable? Do that...

PRESIDENT:

(Machine cutoff)...Welch.

SENATOR WELCH:

Senator, the language is that if the defendant acquired the facility by inheritance or bequest they would not be liable. However, I would add a proviso that this has to be a good faith bequest. You can't have somebody who has been notified or believes they may be notified they've been dumping waste on their property suddenly become charitable and start deeding away their property. This obviously has happened in your end of the state and we certainly don't intend to give them any exception, exemption or approve of what they're doing. If you give property away with any knowledge whatsoever that it is contaminated, certainly you can't remove yourself from liability.

PRESIDENT:

Senator Brookins. All right...

SENATOR BROOKINS:

Thank you, Senator.

PRESIDENT:

...further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Normally, Senator, the term bequest is not including a...a gift among people who are alive but refers to bequest at death in a will or...or some other kind of transfer. I believe the Senator...the prior speaker's question had to do with a gift between someone who is alive and a church or some institution, would your answer be the same?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

If the...if the parties are alive, there's a different paragraph that applies and, yes, my answer would be the same, Senator. Thank you.

PRESIDENT:

Further discussion? Further discussion? Senator Welch, you may close.

SENATOR WELCH:

I would just move for a favorable roll call.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1615. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1615 and the bill having received the required constitutional majority is declared passed. Senator Karpel on 1719. On the Order of Conference Committee Reports, there's a report with respect to Senate Bill 1719, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 1719.

PRESIDENT:

Senator Karpel.

SENATOR KARPIEL:

Thank you, Mr. President. Conference Committee...the First Conference Committee Report on Senate Bill 1719 includes the intent of the original bill which amends the Condominium Property Act and the Revenue Act to establish procedures for the establishment or the reestablishment of one dollar assessments for common areas of condominiums. In the conference committee they receded from House Amendment 1

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and 2 and the bill was then further amended to provide that in units owned by a land trust a trustee may designate a proxy. It also adds a freedom of information provision to give unit owners access to records held by the board, and it also states that in cases of liens for not payment, the attorney fees for which a unit owner may be held liable to those incurred prior to the initiation of any court action and that it...it defines reasonable attorney expenses and I ask for your support.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall the...the...Senate adopt the Conference Committee Report on Senate Bill 1719. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, 1 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1719 and the bill having received the required constitutional majority is declared passed. 1781, Senator Luft. On the Order of Conference Committee Reports, there's a report on Senate Bill 1781, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Corrected Conference Committee Report on Senate Bill 1781.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The Conference Committee Report on...Senate Bill 1781 requires all public utility rates to reflect the reduction in public utilities' expenses that resulted from the Federal Income Tax Reform Act of 1986. Their corporate tax was lowered, if I remember correctly, from forty-six to thirty-four percent. This bill requires

that that twelve percent difference be a reduction in the rates. We also exempt motor homes from the sales tax and subjects them to the five percent automobile rental tax. Motor homes are the only vehicle that are rented that are not subject to the automobile rental tax. This provision is requested by that industry and this is a request from St. Clair County which transfers from the St. Clair County Clerk to the St. Clair County Assessor the responsibility for computing the mobile home local service tax. This gives a better paper tracking mechanism to locate these individuals. I would try to answer any questions or otherwise move for the adoption of Conference Committee Report No. 1 to Senate Bill 1781.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1781. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 7, 3 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1781 and the bill having received the required constitutional majority is declared passed. Senator Woodyard, 1889. Senator Davidson on 1955...on the Order of Conference Committee Reports, ladies and gentlemen, on bottom of page 9, Senate Bill 1955. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 1955.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this conference committee is the result of a negotiated agreement between the Department of Insurance and the Attorney General's Office

dealing with CHIPS. It establishes a preamble of legislative intent to declare that CHIP program is not an entitlement program, provides that the plan is to be funded primarily from premiums paid by policyholders, authorizes the board to take steps necessary to assure that plan enrollment does not exceed the number of resident that it estimates. It has financial capability to ensure and what that really means is that all claims, costs and other expenses of the program which are incurred or accrued during the first year of the program must be covered or provided for before we allow the program to expand during the following years...authorizes the board to limit enrollment, authorizes the board to increase premiums above the hundred and thirty-five percent. If appropriation and premium income is insufficient to meet the program's expenses, it delays the start-up date of the program from August 15th, 1988 to October 1st, 1988; increases the board from eight to ten public members. I'd appreciate a favorable vote.

PRESIDENT:

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I rise in support of this Conference Committee Report. I...I'd simply like to make a couple of comments, however. Ever since we...the General Assembly enacted the CHIPS program in 1986, we've been trying to find a way to pay for it. Obviously, what we enacted is beyond our ability to support and I was hopeful, frankly, that the money for CHIPS wouldn't be in the budget this year and that we would go back to the drawing boards and...and simply begin again to try to create a program that we can afford. Since there is some money in the budget, I think it's absolutely essential that we adopt this Conference Committee Report, because the fact is that this report goes a long way toward creating a plan which I think ultimately will

be affordable for the state. So I would urge my colleagues to support this report.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1955. Those in favor vote Aye. Opposed 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, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1955 and the bill having received the required constitutional majority is declared passed. Top of page...10, Senator Dunn. On the Order of Conference Committee Reports, Senate Bill 2079, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 2079.

PRESIDENT:

Senator Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President and members of the Senate. I want to first say that...what this bill does not do, it takes away all the language from the Hambletonian. I want to thank you at this time too for your help in getting the Hambletonian bill passed although we were unable to get the Hambletonian, so we stricken that out of Senate Bill 2079. It does three other things. It recreates the Board of Aeronautical Advisors. It seems that two years ago we forgot to...reestablish them and they've been dropped. It allows IDOT to enter into contracts directly with units of local governments for architectural engineering for capital improvement to railroad stations. It also says that the Governor may impose a user fee upon the facilities and grounds of the Executive Mansion in Springfield and the Hayes Home in DuQuoin and that these fees will be submit-

ted...the...State Treasurer to handle the fees. The...language...on this was suggested by the Auditor General. All of these three things are supported and I think have bipartisan support and initiated by the Governor's Office. Appreciate an Aye vote.

PRESIDENT:

Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 2079. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 2079 and the bill having received the required constitutional majority is declared passed. Senator Berman is back with us from the minisummit or public summit or summit summit. Bottom of page 8 was Senate Bill 43. On the Order of Conference Committee Reports, Mr. Secretary, there is a report filed with respect to Senate Bill 43.

ACTING SECRETARY: (MR. HARRY)

(Machine cutoff)...Conference Committee Report on Senate Bill 43.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The First Conference Committee Report on Senate Bill 43 deals with the issue of asbestos in the schools. As you are well aware, we passed a bill several years ago that set up a process of inspections and corrective measures to be taken under the auspices of the Department of Public Health and general revenue funding. We've moved forward on the inspection process, not adequately but we have moved forward, and we because of our financial...problems have not been able

to fund at all the state funding of the correction of asbestos in our schools. What this bill does is to provide an alternative for our school districts by expanding the definition of the levy that would be involved for the...the...inspections, the life safety tax revenues that all the school districts downstate presently have. What we've done is to allow asbestos corrections...inspections management corrective actions to be included within the existing levy for the life safety tax. What we have also done in this bill is to provide for the first time a five-cent levy for the Chicago Board of Education to...for the Chicago Board to address its asbestos problems because the Chicago Board does not have a life safety levy. As a third alternative...or a third item, we have provided an alternative, strictly permissive, that if IHDA is able to issue bonds and the school districts wish to utilize that avenue for funding of the asbestos correction, they may. The reason for this bill and the need to pass it today is because the federal government in their inimicable way has imposed certain deadlines upon every school district regarding inspection and corrective action, some of which is impending upon us this coming October 1. This bill is important to every one of our schools. I'd be glad to respond to any questions.

PRESIDENT:

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

We have...we have a Statute in the school law which provides for life safety bonds, I believe it's called, and under that, it would seem to me that if you want to clean up the

asbestos, a school district could use that section of the Statute to clean up their...their asbestos. So why would we need your bill?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Senator. That's exactly what this bill does. You have a life safety bond authorization...tax...authorization but the language...is not adequate to include the inspection and removal of asbestos and that's exactly what this bill does.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, my high school put an addition on on the basis of life, health and safety without a referendum under those bonds and it's there. So I don't quite agree with the prior speaker. I feel it can be done without...the necessity of this legislation. So, therefore, I would...I am forced to speak against the bill.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

Senator, I've been reading recently that the federal government is talking about extending that deadline. Have you heard, you know, the latest out of our...our colleagues in Washington? Have they finally start using their head and said, wait a minute, maybe this is too fast?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Yes, earlier this week through communications with some congressmen's offices, I was told that there may be an extension which I don't think has been acted upon but they're talking about an extension...a qualified extension, let me put it that way, till May of...of '89, but that would be on a...I am told on a per district request kind of process. That may help School District 1 and not help your school district. This is an avenue to address their needs as they see fit to allow them the resources that we haven't been able to supply.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you. I'd like to ask the sponsor a couple of questions, if I might?

PRESIDENT:

Indicates he'll yield, Senator Watson.

SENATOR WATSON:

How does this affect private schools?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

The...the private schools are not included. What we have done, there is a reimbursement process...there is a reimbursement process that we've established that still remains under this bill. If IHDA is utilized, the private schools could go and borrow through IHDA.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, how would they pay that back then? Now, what kind of security would they have?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

That would be up to their negotiations with IHDA if...I'm sure, you know, they have assets. They make...just like any other type of loan, it's not the subsidized loan, it would be through negotiations through the facilities of IHDA.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, somewhere I just read where the school district would...the public school would be pledging their...their possible state dollars...state funding against this...this loan. Can you explain that further, sir?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Because of...that's an option; in other words, if a school board comes in and...and the lender says that, you know, you don't have sufficient assets, if...if the board decides, they could pledge their forthcoming state aid as security.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Okay, one last question. Now what would...is this an open-end property tax increase at the local level?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

(Machine cutoff)...does not change the downstate rate. It's five cents and it's...and it's limited; I mean, we don't change that. The...for Chicago, it's a new five cents. I'm sorry.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, members of the Senate. This is not a...an easy issue to deal with, nobody likes to find ways of raising taxes. The fact is the asbestos problem isn't going away, it's a serious health issue. There's obviously a different way we're treating downstate from Chicago on this. The State Board has already ruled that downstate they can use the life safety property tax for up to five percent without referendum, ten percent with referendum. So we're simply codifying that, they're already going to do that. As far as Chicago is concerned, you know, here we are trying to figure out a way to reform Chicago schools and I don't know how we vote against the bill that makes sure that no matter what happens to the schools they're at least environmentally safe for our kids from asbestos. I mean, I...I don't like doing this either, but I don't see any other way. I...I think we ought to vote Aye on Conference Committee Report No. 1.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, members of the Senate. I...I share Senator Kustra's concern. This is a tough issue for all of us to deal...deal with. Senator Berman and I have been dealing with this, I guess, since 1983 when the original bill passed and, of course, was the subject of much discussion on Senate Bill 43 a year ago when we were working with...with another state agency trying to put together a funding mechanism. The fact of the matter is we are locked into a situation where we've got to deal with asbestos. Now, there is clearly a funding mechanism in the bill...there is clearly a funding mechanism in the bill. Had we had a tax increase this year, I would have been one

pushing very hard to fund the provision that's already in the Act, and it's not in this bill it's already in the Act, it's an indexing method that will provide for public schools from fifty to a hundred percent based on assessed valuation. I think that thing ought to be funded, I really do. I believe that's a commitment we ought to make and I would have been doing that had we had the revenue to deal with this year, but the fact of the matter is it's got to pass now. Let me respond to one of the point that was made. I...I don't think, Senator Berman, that...that you meant to...to mislead anyone but I believe that now for whatever...for whatever rate is left in life safety up to five percent, if that doesn't cover debt service because of the Tort Immunity Act that we passed some years ago, I think we could transfer in...in to that Act because that Act simply says that for a local unit of government if they have a condition that could bring about injury in a number of things to people you can levy...you can levy a rate for whatever it takes to pay for that debt service. Now, that's a layman's interpretation of the legal lingo. Senator Berman, you could respond better than I could, but you can move beyond life safety. A tough issue. I think we ought to come back and deal with it next year then on a funding level but I think the bill ought to pass today.

PRESIDENT:

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I stand in support of this bill; in fact, I had a bill very similar to this though I think the Berman bill far in a way is better. There are some things in here I don't like: You know, I...I continue to object to the fact that, you know, we have to continue in suburban Cook County to deal through Mr. Martwick's office where the City of Chicago does

not, but I guess we're stuck with that, but I suppose the point is though we have to get this done. I don't know that we've come up with any other way. I polled all of my superintendents on this in my schools in my district, they all said their first choice was obviously state funding. We stiffed them again, they're quite aware of that and they're writing us off as they usually write us off. At least if we can give them the local options here to be able to get the job done, I think they can get the job done faster, more efficiently, more cheaply and certainly get on target with this than what we've been able to do and I don't think our program has been worth very much except for causing confusion and grief and upset and harassment to our local schools. It's been a total mess. This is the best option we have and I suggest we go through with it and move it along and get the job done.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much. Senator Berman, just a brief question. Who...who contracts or how do they go about choosing the people to actually do the asbestos removal? Is that a...a bidding process, is it done by the state? Who...who's...who...who does it and how is it done?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

There is a...a licensing or...or...an approval process developed several years ago, it's ongoing, the Department of Public Health issues a list of approved contractors. They've been trained, their employees have gone through this process. You can pick your contractors off of that list.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

You mean the individual schools or school districts get to pick the contractors off the list? It's not a bidding process, really, it...

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

It's the same way that they would let any contracts, some school districts will probably have to go to bid, but this has been ongoing...they've been doing this anyway.

PRESIDENT:

Further discussion? Further discussion? Senator Berman, you wish to close?

SENATOR BERMAN:

Thank you, Mr. President. I appreciate the comments from Senator Maitland because the issue of tort...tort liability had not been raised in our analysis and I apologize for not being able to respond on that issue, but we are being faced with deadlines imposed by the federal government. We have not been able to respond as we would have liked through state revenues to clear up asbestos in our schools. This is a plan that the schools and our children need today. I solicit your Aye vote.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 43. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 25 Nays, 3 voting Present. The Conference Committee Report is not adopted and the Secretary shall so inform the House and Senator Berman requests the appointment of a second conference committee. (Machine cut-off)...page 10, Senator Poshard. On the Order of Consider-

ation Postponed, Conference Committee Reports, there's a Conference Committee Report on House Bill 2034. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

(Machine cutoff)...Conference Committee Report on House Bill 2034.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the same bill that we had up yesterday. It would require the Department of Transportation to study barge traffic on the Illinois River between Lake Michigan and the Mississippi River to consider the current barge use and capacity of the Illinois River and any improvements or construction which would enhance that barge traffic. It creates the Alexander-Pulaski County Port District. It authorizes the establishment of a public airport by the Seneca Port District anywhere within LaSalle County. It allows the formation of the Jackson-Union County Regional Port District. It empowers the Department of Commerce and Community Affairs to award grants that are matched by equal grants from a local government to any port district for the purpose of promotional or marketing activities, market research, repair and maintenance, support facilities and so on. And it eliminates the provision that the duration of the subordination of the regional port districts pay back the outstanding public bond agreements extends solely for the period of time of the running of those bond agreements in the Capital Development Board. I would ask for your kind consideration of approval.

PRESIDENT:

All right. The question is the adoption of the Conference Committee Report. Discussion? Senator Welch.

SENATOR WELCH:

I just had a question of the sponsor.

PRESIDENT:

Sponsor indicates he will yield, Senator Welch.

SENATOR WELCH:

Senator Poshard, could you tell me, if you know, who is going to be building or operating this incinerator in Jackson County? Could you tell me the name of the company?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Senator Welch, no one to my knowledge has any intention at this point in time of building or operating an incinerator in Jackson County. This is standard language which is included within a port district facility's application.

PRESIDENT:

Senator Welch. Okay, nothing further? Any further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. The other day when I was up in the balcony this report came up and one of our members was a little concerned about the port of Chicago and I'd like to advise them that the request in here did come from the administration. It...simply allows them to refinance existing debt. It does not allow them to increase that debt and there's nothing extraordinary or sinister about that request and I would urge its support.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on House Bill 2034. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 6 Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 2034...House Bill 2034

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Amended

and the bill having received the required constitutional majority is declared passed. All right, ladies and gentlemen, if I can have your attention, while we are awaiting the advent of the First Supplemental Calendar, there's been a request to go to the Order of Secretary's Desk Resolutions, and I would just alert the membership that we may not get back to resolutions this semester, so if you have one and you wish to call it, this is the appropriate time. 233, Senator Mahar. 844, Senator Savickas. 1126, Senator Joyce. All right. On the Order of Secretary's Desk Resolutions, Madam Secretary, is Senate Resolution 1126.

SECRETARY:

Senate Resolution 1126.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This urges the Department of Conservation to establish for the Kankakee River and its tributaries in Will County in closed season annually on...walleye for 3-15 to 4-15...March 15th to April 15th on small and...and on smallmouth bass for five...May 1st to May 31st, and minimum size...catch size for walleyes of fourteen inches and smallmouth bass twelve inches.

PRESIDENT:

Discussion? Is there any discussion? If not, all in favor of the adoption of Senate Resolution 1126 indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. 1137, Senator Carroll. Top of page 5, 1168, Senator D'Arco. Senate Resolution 1225, Senator Joyce. On the Order of Secretary's Desk Resolutions is Senate Resolution 1225. Senator Joyce. (Machine cutoff)...Joyce.

SENATOR JEROME JOYCE:

...Mr. President, there's an amendment filed for this.

PRESIDENT:

All right. Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator J. J. Joyce and Geo-Karis.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

This amendment also deletes the resolve clause which directs the ICC to consider hardship higher rates have on...customers and it removes all controversial provisions in the resolution, and I'd ask for the adoption.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Amendment No. 1 to Senate Resolution 1225. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

All right to the resolution as amended, Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This...this resolution directs the ICC to strictly enforce and not compromise on the requirements of Articles IX-211 and IX-212, IX-213 and IX-215 and all other requirements set forth in the Public Utility Act when determining such rates. That's the Public Utility Act we passed a couple of years ago. I'd ask for the adoption.

PRESIDENT:

Senator Joyce has moved the adoption of Senate Resolution 1225. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution as amended is adopted. Senate Resolution 1250. Madam Secretary.

SECRETARY:

Senate Resolution 1250.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Resolution 1250 merely asks...recommend to the council that the Department of Corrections investigate the circumstances surrounding the intra-inmate pregnancies and file a report with the Illinois General Assembly to include specific actions taken or planned by the department to ensure that such incidents cease and that both parties are sanctioned equitably. This happened...came in response to the overcrowding at the Dwight Correctional Center and the state's only female facility, and the Logan Correction Center was reclassified a cocorrectional facility in 1987 and, of course, as a result of that, problems...was created. The Department of Corrections, the lobbyists and...they're all very anxious about getting this started and so I'm asking for your approval on this.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is the adoption of Senate Resolution 1250. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Resolution 1250 having received the required constitutional majority is declared passed. House Joint Resolution 188. On the Order of Secretary's Desk Resolutions is House Joint Resolution 1-8-8. Madam Secretary.

SECRETARY:

House Joint Resolution 188. I have Amendment No. 1 offered by Senator J. J. Joyce.

PRESIDENT:

Senator Joyce on Amendment No. 1.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This amendment deletes the clause directing CMS to make a feasibility study of the use of soybean based inks in its printing operations, and I'd ask for its adoption.

PRESIDENT:

Senator Joyce has moved the adoption of Amendment No. 1 to House Joint Resolution 188. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The...the amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

To House Joint Resolution 188 as amended, Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This directs CMS to...monitor research and development of soybean based inks with the goal of utilizing of such inks as soon as practical in its printing operations. I'd ask for its adoption.

PRESIDENT:

Senator Joyce has moved the adoption of House Joint Resolution 188 as amended. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. SJR 81, Senator D'Arco. SJR 144, Senator Joyce. On the Order of Secretary's Desk Resolutions is Senate Joint Resolution 144, Madam Secretary.

SECRETARY:

Senate Joint Resolution 144. I have Amendment No. 1 offered by Senator J. J. Joyce.

PRESIDENT:

Senator Joyce on Amendment No. 1.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This amendment deletes the contents of the resolution and instead creates a special committee on landfills to study the siting regulations and monitoring of sanitary...landfill operations.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Amendment No. 1 to Senate Joint Resolution 144. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

Senate Joint Resolution 144 as amended, Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. As amended, this...creates a special committee on landfills composed of twelve members of the General Assembly appointed three each by the four principal leaders to study the siting regulation and monitoring of sanitary landfill operations and reporting its findings to the General Assembly by 3-31-89.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Senate Joint Resolution 144. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. Senate Joint Resolution 144 as amended having received the required constitutional majority is declared adopted. Senate Joint Resolution 146, Senator Savickas. (Machine cutoff)...from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate

that the House of Representatives has concurred with the Senate in the adoption...pardon me,...concurred with the Senate in the passage of a bill of the following title, to-wit:

Senate Bill 591 with House Amendments 1, 2 and 29.

PRESIDENT:

Secretary's Desk.

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 2993 and request a second committee of conference to consider the differences...between the two Houses with regards to Amendments 1 and 2.

I have a like...I have a like Message on House Bill 3464 with...with regard to Amendment No. 1.

And I have a like Message on House Bill 3470 with Amendment 1.

PRESIDENT:

All right. Senator Demuzio will accede to the request of the House that a conference committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Ladies and gentlemen, we have been through the Calendar. We are obviously still awaiting some pending negotiations. So I suggest it might be a good time to get a bite of lunch and a breath of fresh air. Senator Demuzio will move that the Senate stand in recess until the hour of three o'clock. We'll see everybody back here at three o'clock and by that time, I hope, we can have our act together. The Senate stands in recess.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...will come to order. Senator Severns moves that the Senate stand in recess till the hour of six-thirty. The Senate will stand in recess till the hour of six-thirty.

RECESS

AFTER RECESS

PRESIDENT:

(Machine cutoff)...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 refused to adopt the First Conference Committee Report on Senate Bill 1781 and requests a second committee of conference to consider the differences between the two House...Houses in...in regards to Amendments No...Amendment No. 1.

I have a like Message on House Bill 3085 with Amendments 4 and 5.

And House Bill 3636 with Amendment 1.

PRESIDENT:

Senator Savickas would move that the Senate accede to the request of the House for second conference committees. 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 concurred with the Senate in the adoption of the following joint resolution, to-wit:

Senate Joint Resolution 111 with House Amendment No. 1.

PRESIDENT:

(Machine cutoff)...Secretary's Desk. Resolutions.

SECRETARY:

Senate Resolution 1297 offered by Senator del Valle, it is congratulatory.

PRESIDENT:

(Machine cutoff)...Calendar.

SECRETARY:

Senate Resolution...1298 offered by Senator Jerome J. Joyce, it is substantive.

PRESIDENT:

Executive. (Machine cutoff)...on the Order of Resolutions. Senator Newhouse, for what purpose do you arise, sir?

SENATOR NEWHOUSE:

Thank you, Mr. President. Senate Resolution 1265 is a commendatory resolution for the education agencies in the State of Illinois. It now resides in the Executive Committee and I move to discharge it for immediate consideration.

PRESIDENT:

Senator Newhouse has moved to discharge a congratulatory resolution from the Senate Executive Committee. Senator Geo-Karis.

SENATOR GEO-KARIS:

Is...is this simply a congratulatory resolution?

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Congratulatory. It commends the education agencies in the State of Illinois, Senator.

PRESIDENT:

All right. Senator Newhouse has moved to discharge the Committee on Executive from further consideration of Senate Resolution 1265 for the purpose of its immediate consideration and adoption. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. The

resolution is discharged. Senator Newhouse now moves the adoption of Senate Resolution 1265. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. All right, ladies and gentlemen, if I can have your attention. You have been most indulgent and patient all day and I apologize for the time delay but there were a number of matters that have yet to be settled. As we have left the leadership meeting, it appears that there are about fourteen matters yet to be considered that are deemed to be of substantial importance to the operation of state government, obviously, Chicago school reform and the budget finalization and the waste water treatment being among those. Our suggestion is that we begin on Supplemental No. 1 and work through the Calendar. We will have Supplementals No. 2 and 3, I am sure, and the question of the Chicago school reform and waste water will appear on the...at the very end of the business Calendar for the reason that the agreements have just recently been finalized and there's an enormous amount of paper to be processed and so we are fighting the paper chase. So my suggestion is we start on Supplemental No. 1 and proceed in an orderly fashion through the Calendar and we will take up those matters of extreme importance as they come before us. On the Order of Secretary's Desk Concurrence is Senate Bill 591, Madam Secretary.

SECRETARY:

House Amendments 1, 2 and 29 to Senate Bill 591.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President, members. I would ask this Body to concur with House Amendments 1, 2 and 29. Senate Bill 591, as all of you remember, is the Open Space Act. I can tell you that there were a number of conferences held to

address many of the issues. There...appears to be a compromise now and these amendments reflect that compromise. Let me list some of the major changes, if you have any questions, I'd be happy to answer them; but the hearing process has been expanded so that a plan must be developed that will clearly inform the taxpayers of the sites to be acquired, the cost of the parcels and the total cost to the taxpayers of all expenditures. One of the concerns was that church and educational properties were exempt, they are exempt in these amendments; that each plan developed must be implemented within three years, that's reflected in the amendments, that parcels inside are directly contiguous to a city may be removed from the township acquisition plan by the municipality and only replaced by a specific referendum. Those were some of the primary concerns. I can tell you that the...now, with these amendments, this legislation is supported by the Illinois Catholic Conference, the Municipal League, the Illinois...Retailers, the Home Builders' Association, AFL-CIO, the Farm Bureau, and I've talked to the Environmental Council, they have signed off on the legislation as well. I would move for concurrence of those amendments.

PRESIDENT:

Senator Zito has moved concurrence. Is there any discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Will the sponsor yield? Senator Zito, in our analysis it says that Amendment No. 29 enact...deletes everything after the enacting clause including the previous amendments, and didn't you say that this leaves on No. 1 and 2 or something?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Well, Mr. President, I have a question of the Secretary.

I...I was to understand that Amendment 29 did, in fact, delete everything after the enacting clause and all the agreed to...language is in 29. If we could have a clarification from the Secretary if 1 and 2 are existing. I...I'm to understand that only...that we should just be concurring in 29 because, in fact, 29 deletes everything after the enacting...

PRESIDENT:

Well, the Chair will just reflect that the House has a different method of amending things. They are not as tidy and as much of a purist as are we, and so where they should have Tabled amendments, they don't, they just leave them sit around and usurp them with later amendments. But the fact is, if we are going to properly concur, we have to concur in 1, 2 and 29 even though 1 and 2 have no legal effect whatever. Senator Karpziel.

SENATOR KARPIEL:

Well, if that's the case, that's all I wanted to know what we were doing with those two. Thank you.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he will yield, Senator Keats.

SENATOR KEATS:

My apology, our analysis seems to hint in one part that Cook County is exempt and in the next part Cook County is in. Could you just clarify whether Cook County is...the Cook County townships, not worried about Chicago, the Cook County townships in or out?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

HB 4282
1st e.e.R.

In.

PRESIDENT:

Senator Geo-Karis, further discussion?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I rise in...in support of this concurrence and I ask for a favorable consideration.

PRESIDENT:

All right. Any further discussion? Further discussion? If not, Senator Zito, you wish to close?

SENATOR ZITO:

No, Mr. President, I think everybody understands this now. It is a compromise and I would move for the concurrence of the appropriate amendments whatever those numbers are.

PRESIDENT:

The question is, shall the Senate concur in House Amendments 1, 2 and 29 to Senate Bill 591. Those in favor will vote Aye. Opposed vote Nay and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1, 2 and 29 to Senate Bill 591 and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...leave to get back to 3810? Senator Philip is attending as many meetings as I am, when he hits the Floor, we'll call it. On the Order of Conference Committee Reports, Senator Woodyard. Conference Committee Report on House Bill 4282, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 4282.

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, members of the Senate. This

bill has rather become the galloping horseshoe bill of our Session, I guess. It started out as a rather innocuous bill that would allow the Illinois Racing Board to determine two pilot projects at county fairs for...to establish and to try and to experiment with parimutuel wagering. The bill then as it left the Senate had an amendment that contained quite a number of provisions. I would be glad to go into those but I can simply say that it contained the provisions and still does, the Conference Committee Report, the provisions of Senate Bill 2256 by Senator Weaver, 3268 by Representative DeJaegher, 3536 by Representative Cullerton, 3558 by Representative DeJaegher. It also, as I think many of you know by this...time, contains two other provisions. One of those seems to be very well agreed upon and it was a compromise between the Illinois Harness Horsemen's Association and the various parimutuel tracks in our state in which it clarifies the one percent payment of monies acquired from off-track betting. Actually, this would apply only to the intertrack betting and wagering at this particular time and they seem to have reached an agreement on that. The other issue that is contained within this Conference Committee Report is a division of the seventh...the one-, two- and four-sevenths provisions where the particular money within the one percent off-track betting would go. Presently, that money is divided in this manner; four-sevenths of that off-track betting wagering money goes to the Chicago Park District, as I understand it; two-sevenths goes to Department of Commerce and Community Affairs which is used to promote horse racing in our state and one-seventh goes to the Ag. Premium Fund to fund extension services. This particular provision would allow the three present OTB's located in Rockford, Peoria and Springfield to retain their four-sevenths provision for their park district to fund their museums. So thus, in essence, yes, Chicago would not be getting that particular amount of

money at this time but as your OTB's come on scheduled, certainly there would be quite an...an enhancement of that particular formula. It grandfathers in those particular three communities. It does not allow any new OTB's that would be established to...to fund their park districts nor their city councils, that money would revert back to the Chicago Park District. This is rather compromise language, I...I realize rather controversial, but it's the best we can do at this particular time and it seems that...that it's the best compromise that we can derive in which Rockford, Peoria and Springfield would retain their particular divisions of that four-sevenths. That basically is what...what the Conference Committee Report on House Bill 4282 does. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Brookins.

SENATOR BROOKINS:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Brookins.

SENATOR BROOKINS:

Yes, thank you. How much money does this take from the Chicago museums?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

It's my understanding, and the figures are from the Department of Commerce and Community Affairs, that...that at the present time approximately a hundred and fifty thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

And that breaks down...well, to...how much from...how many museums is involved in that and what are those museums?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

It's my understanding that that is from the three communities of Peoria, Rockford and Springfield, and Springfield just now coming on line.

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

No, that was not the question. The question was, how many museums in the Chicago area that this money was allocated from that is taken from and what are the...what are those museums?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Senator Brookins, I...I really don't know how many museums or other entities that the Chicago Park District funds. It's my understanding that this money goes to the Park District and...and that money then is used to fund museums.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Thank you. To the bill, Mr. President. Here, again, we're taking the hit on the Chicago museums and the City of Chicago. For your information, these museums are the museums in downtown...the Planitarium, the Field Museum, the Art Institute, Aquarium. Now, I know that this also affect the...the...the collar county because these are the people that come in to Chicago to visit these museums. Here, again, we're allowing the City of Chicago to be raped and raped for

no apparent reason just because they feel that they able to do it at this time. I'm going to oppose this and I hope that all my colleagues opposed it, because it's the same issue and the same thing that's been going on here all week. It's bad, it's a bad bill, it's a bad idea, and it should not pass and it should not be in this bill. It's terrible.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he...he will yield.

SENATOR GEO-KARIS:

First of all, this is a First Conference Committee Report, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Now,...I have a page 3 of this report, it says that "Beginning July 1, 1989, two-sevenths go to the municipality where the intertrack wagering...location is located to be used for general purposes unless the intertrack wagering location is located in a forest preserve district in a county having a population of three million or more." Now,...Waukegan is going to have...an off-track betting, that's in my district. Can you answer whether or not they will be included as they come in?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Senator Geo-Karis, you are on the First Conference Committee Report and I stand corrected there is a First Corrected Conference Committee Report that does not have that language in it, it's my understanding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, I don't have the second one, can you tell me whether Waukegan will be included as it comes in?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

No, it will not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Now, this...is the money going to be directed to the DCCA as it was originally?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis...Senator Geo-Karis.

SENATOR GEO-KARIS:

I'm at a disadvantage because I don't have the...the corrected report and I'll yield my time but...so I can get a chance to look at a copy of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. While this particular conference committee really does slit the throat of everyone in Chicago and Cook County, I don't know that it's my position

to defend Chicago in the moment other than to say, gee, guys in Chicago, your throat is getting slit. Let me just ask one interesting question. Why are we taking two-sevenths to give to DCCA to advertise? Most horse tracks advertise today. So I'd ask of the sponsor, the private sector is presently advertising tracks; for those of us in Cook County who have some very successful tracks and some less than successful, they advertise on their own, you know where they are, they tell you their schedules, they're in the newspapers. Why are we now taking this money away from the museums to give to DCCA to duplicate the advertising presently done by the private sector, could my sponsor please explain?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Why, I think, two...two responses to that. Number one, within the present law, DCCA is already getting the two-sevenths and; number two, in response to why are they doing this, it was decided under the original legislation that structured the OTB's that a portion of that money would be used to promote horse racing in the State of Illinois and it's why that formula was put there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

In answering, that's the point we're making is, this is a private sector industry that's doing it for themselves. We're now allowing the government to do for someone else what they can do for themselves. You just have to ask yourself philosophically, is that a good practice? I personally will be voting No and I would think those who are being negatively affected by the bill hopefully will vote No also.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, Senator Brookins was right on target, it is a bad bill. It had the potential of becoming a good bill but the House started messing around with it again and I can't see why anybody in the City of Chicago would want to vote for this because its museums are...are just ripped apart on it, and let me take it to suburban Cook County, because sometimes we forget that there is more in Cook County than just the City of Chicago. We did have an amendment in the House that would have allowed part of the alleged DCCA money that goes for promotional...promotions of tracks; why, I can't tell you, they haven't done a damn thing with it in the time they've had it and certainly it belongs to the private sector rather than to government, as Senator Keats would have...brought out. But over and above that, that would have also gone to suburban Cook County, to the Botanic Garden up in Sokie and to the Brookfield Zoo which is a living museum. Those animals have to eat and it's a day-by-day, very constant, difficult chore to manage to keep that very important tourism site in the State of Illinois going. That has been totally removed from this, and in answer to Senator Geo-Karis, no, Waukegan will not be able to get money as its OTB parlor comes in nor will Carbondale's or north Aurora's or Joilet's or the two new...or the...the one in Waukegan; if Danville comes through, that's questionable that they could, or if DuQuoin gets one, that's questionable unless they come back down here and pull off this special legislation that we are now jockeying around here with at this time. This bill has been absolutely devastated. DCCA continues to try and stand this off; why they do, I cannot tell you, but I think it's totally incorrect. I wish they would back off and I wish this bill would be put back into another conference committee where something more equitable would be put together.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I've heard some rather harsh words about the proposed allocation of money that is raised by virtue of the existence of...existence of intertrack wagering facilities. You will recall that when this original plan to afford the opportunity for the tracks to have intertrack wagering facilities was being considered, it was found to no one's great surprise that there was going to be extra money around, that these tracks were a economic development tool that meant jobs and opportunities and money. And so we sat down and we tried to figure out how to best allocate the money and we said, why don't we give some money to the park districts that maintain museums of statewide interest, and everybody said, as I recall, or at least everybody who...in the majority who voted for this said, that's a good idea, we ought to do that and why don't we take some of the money, as Senator Weaver said, if I recall, and put some of it in the Agricultural Premium Fund for the Home Economic Extension, and why don't we take some of the money and put it in for Gamblers Anonymous and why don't we take some of the money and give it to DCCA so that they can promote the industry and promote the facility to Mr. Duchossois and others are going to build and we'll just have a great big wonderful world, and we did and it's working and there's a lot of money being raised. And now the towns that have accepted the intertrack wagering facilities, Springfield, Rockford and Peoria, are saying, we are raising additional money for you, Mr. State, and all the additional money, at least not all, four-sevenths of it is being shipped to Chicago. Can we have a little bit? And I said, as I said on this Floor, Senator Brookins, when Senator Holmberg presented her first bill that is eminently fair.

That town has accepted an intertrack wagering facility, as has Springfield and as has Peoria, and instead of all the money going up to Chicago, why don't we afford those towns that have accepted this facility some of the largess so their park district and their museum can also share. That seems to me to be eminently reasonable and if, indeed, Waukegan wishes to come in or Carbondale or Aurora or, I might add, the City of Chicago where we will have, Senator Brookins, on July 1st and we hope September 1st two of these, and all that money will go to Chicago, all of it. I think this is fair and I think much too big a thing is being made about it. Nobody is attempting to take anything away from anybody because...but for the existence of these intertrack facilities there wouldn't be any money going in that direction. So all we're saying is, we have indulged you, can we have a part of it? And I think that's fair and I think we ought to vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield, Senator Newhouse.

SENATOR NEWHOUSE:

I had made a commitment on this bill based on the representation that the dollars involved did not come from the City of Chicago, can you confirm or deny that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

It's my understanding, if I'm getting your question correctly, that...that Chicago is not sending money downstate because you don't have an off-track betting parlor that's on stream right now, and as Senator Rock said, you have one coming on the 1st of July and another...the 1st...or sometime

in September. I'm not sure that's an answer to your question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Is the stream from which you will receive these proceeds generated by your local off...OTB parlor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Correct. The monies are generated by Rockford, Peoria and Springfield at the present time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

And, similarly, when Chicago comes on line, it will receive the Chicago dollars and none of that will go downstate?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, being one of those who did accept the facility and one of those who doesn't have a museum but in the language of this bill the park board can use their four-sevenths it's generated from the people who participate either within this community or

surrounding area which come in, this facility coming aboard down here certainly gave...employment to people. We understand that but this is an eminent fair bill, as Senator Rock has said, and if the park board wishes to participate and aid the municipality, it's their call to either use the money to expand the facilities within the park and services to the people who they serve or they can put it into the municipality's treasury to be used that way at the will of the governing body of that municipality. This is an excellent compromise, it has the support. I've been here sixteen years and the first time I can recall ever that the Illinois Racing Board, Illinois Horsemen's Benevolent Protective Association, the Illinois...Harness Horsemen's Association...ever agreed on anything. For that reason alone you ought to be supporting it, because I don't think we'll ever see it again and the old saying is, "the...the snowball didn't melt when it went into a four-lettered place," but I urge you all to vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Weaver.

END OF REEL

REEL #3

SENATOR WEAVER:

Well, thank...thank you, Mr. President, I don't know what all the confusion is. Years ago, when we authorized off-track betting and intertrack we set up these percentage distributions to the local communities and we're just basically carrying it on. Course this bill contains some other provisions that I sponsored that were added on and I think most everyone is in agreement that, in the future, all these communities that establish off-track betting parlors will benefit as will the City of Chicago as soon as they get into operation. So, I don't know what all the confusion is, I stand in support of 4282.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I think Senator Rock stated it best in terms of the fairness of...of allowing Peoria and the other communities to keep a part of the money that is generated locally for the fine museums that we have in our park district in Peoria. I think Senator Weaver is...right on the controversy. Senator Holmberg's bill, cosponsored by Senator Luft and myself, passed out of this Body by a vote of 45 to 10 with overwhelming support and we would ask that same kind of support for this bill. And I would like to ask leave of the Body to be added as a hyphenated cosponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Is leave granted? Leave is granted. So ordered. Senator Jones.

SENATOR JONES:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Jones.

SENATOR JONES:

Senator Woodyard, that four-sevenths that is currently in the law as it relate to the funds going to the Chicago Park District for the museums, to your knowledge, do you know why that is there? Why is it there? Why was that included in the legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Senator Jones,...I really cannot tell you why the division of the formula was ever done in that manner. I was not privy in the original structure of the OTB law and...and so, I really can't answer that as to why that structure had four-sevenths going to the Chicago Park District, I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, it would seem to me and I believe the reason why that was there is in the metropolitan Chicago area where you have all the race tracks which sit on the peripheral and the funds that come from there...most of the funds that go into the Ag. Premium Fund come from those tracks and very few of those dollars find its way back to those respective communities, in particular, the City of Chicago. And for that reason, that four-sevenths is there is to in turn help get some of the money back to the communities from which it comes. You know, for years...for years the Ag. Premium Fund which come from the suburb Chicago, Chicagoans who send those funds down there, those funds never get back. This four-seventh is an attempt to get some of those funds back into the community to serve the people. But when you change

the law, you in turn are deluding those dollars coming back. That is the only reason I can see that four-sevenths being in there, and I don't think that we should approve it at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just a question for Senator Woodyard. Do the backstretch people get any money out of this? I know there's been some discussion about helping out the backstretch people.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Senator Rock is saying no. What...what is a backstretch person?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Could we have some order, please. Take our conferences off the Floor. Further discussion? Senator...Senator Jacobs.

SENATOR JACOBS:

...thank you, Mr. President. With leave of the sponsor, I would like to be added as a cosponsor and I would move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Jacobs to be added as a hyphenated cosponsor. Is leave granted? Leave is granted. So ordered. Further discussion? If not, Senator Woodyard may close.

SENATOR WOODYARD:

Thank you, much...very much, Mr. President and members of the Senate. I realize that many of you have...have been lobbied on both sides of...of this issue. I would like to respond. Senator Jones,...to...a...to...some of your statement...one of the reasons that this provision and the bill is

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designed in the manner that it presently is is to do exactly what you are saying, to return the four-sevenths of money to the local community in which it's raised. And, certainly, when Chicago has your first two OTB's coming on stream, your...your park district is going to get quite a windfall, at least if the downstate people are an...any example of that. I think the...the other provisions of the bill have been fairly well...discussed. Certainly this particular issue on...on the...split and where the retention ought to stay has certainly been very well discussed, and with that, I would certainly encourage a...a very strong green light and a Yes vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the Second Conference Committee Report on House Bill 4282. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 10, 1 voting Present. The Senate does adopt the Second Conference Committee Report and the bill having received the required constitutional majority is declared passed. All right. Leave of the Body, Senator Philip is now on the Floor. Senator Philip on House Bill 3810, Madam Secretary.

SECRETARY:

(Machine cutoff)...Conference Committee Report on House Bill 3810.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Conference committee on House Bill 3810 does three things. It reduces the fees for notary publics from twenty-five dollars to ten. Secondly,...technical cleanup for the

Secretary of State's Office. And, thirdly, it allows either party to decide who uses the name Republican or Democrat. Passed out of here unanimously almost with Senator Demuzio's help. Be happy to ask or...answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the Second Conference Committee Report on House Bill 3810. 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 52, the Nays are none, 1 voting Present. The Senate does adopt the Second Conference Committee Report on House Bill 3810 and the bill having received the required constitutional majority is declared passed. Senate Bill 1581, Madam Secretary.

SECRETARY:

(Machine cutoff)...Conference Committee Report on Senate Bill 1581.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I move that the...Senate concur in the Second Conference Committee on 1581. House amendments...and concur in House Amendments 1, 2, 3 and 4, and in the conference committee that are...permits...or the creation or construction of airport...prohibits the creation or construction of airport hazards which obstruct certain restricted areas. That was put in by Representative Cowlshaw. What this does is create an airport authority in Kankakee County...also it permits GO bonding, an increase of twenty-five million dollars for airport noise for hospitals and schools and dwellings wholly or partially in Cook County. This is what Senator Kustra's bill would have done...and according to a...1982 environmental impact statement devel-

oped for O'Hare Airport there are ninety-six public and private schools located in areas where the average day-night...noise level is at least sixty-five LDN and that's the current measure of...used...airport noise used in...by the federal government. And I would be...I would move that we concur in this and I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. First of all, the Calendar is incorrect. I had removed myself as sponsor of this quite sometime ago and I'd like the record to indicate that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will so indicate, Senator DeAngelis is...

SENATOR DeANGELIS:

Secondly, has the Second Conference Committee Report on this been distributed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes.

SENATOR DeANGELIS:

Well, I don't have it and I'm not going to make an issue of it but I do want to find out if it's the same as the first...'cause I still have the first one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

No, it is not the same because in the second one, in the Cowlshaw amendment it...it verifies that it is privately owned airstrips.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Somebody handed it to me, so I withdraw my objection; I don't find it on my desk, frankly, I just have the first one...

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm sorry. Senator Jerome Joyce. Senator Joyce.

SENATOR JEROME JOYCE:

Okay. I...maybe that's the one that got torn up, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

No, I don't think so. The one that I tore up was an original.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I don't think we have to talk much longer on this bill other than to indicate that this is about the third time. And, frankly, I can understand the sponsor's persistence and his desire, the bill has changed a little bit, he's chosen to concur with some things that he had refused to concur with previously to maybe make the...deal a little more palatable. I do want to point out for the record, however, that there is already in existence a Kankakee Valley Airport...a Kankakee Airport Authority, so I see no need for another one. And as I pointed out in the debate previously, this, in fact, puts in jeopardy the possibility of a third airport which is awaiting a policy committee decision on July 20th as to whether the master study shall go on to further consider the possibility of an airport which might, in fact, be located in Kankakee. And I just...I don't think there's any point in discussing it any further other than...it's the same bill, same story, and is

another try. And I would like to see the same roll calls as I've seen in the past.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor. The...I understand that this authorizes grants to school districts at hospitals and dwellings for airport noise reduction. Can Chicago schools that are affected in that area get this money?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, any school within Cook County wholly or partially.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members. I've got a question to ask the Senator, Senator Joyce. Senator...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Kelly.

SENATOR KELLY:

Okay. Senator Joyce, by having this authority, the Kankakee, are you in any way saying that this does not...I want to have the legislative intent to say that this is still open to all the other sites which are recommended by the plan. Is that, in fact, possible with your bill in effect?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Senator Kelly, it is. I talked to Director Greg Baise about a half an hour ago. DOT, I want to emphasize, is neutral on this bill. He said it would be nice if we weren't arguing about it but that is all. That it...it will not have any effect on a third airport wherever it is to be chosen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, I...I may be proceeding on some very soft ground here, but I...I plan to support this. I...I think possibly my good friend, who has been taking the lead, as far as I'm concerned, for the entire south suburban area, Senator DeAngelis, and I have to give him great credit, he's done a tremendous job, I have to say he had his name on here to start with and it was called the...Kankakee and I...I think that was somewhat of a...taking a step off the curb too. And I...I don't see anything wrong with this, I don't think it'll lock out the site for the other three locations. And I'm going to support him.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Joyce may close.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I would...I would ask support for this. The people who are nearer Chicago O'Hare and...and Midway are getting something that they've looked for for a number of years and that's relief for their schools and their dwellings and their hospitals from the...the noise that...that has been plaguing them. I would ask their support and I would also ask support for the Kankakee to put in an airport authority. You know, Senator DeAngelis, I...I guess I resent the fact that...that you are prohibiting or trying to prohibit the people in Kankakee County from...from creating...an airport authority. And what I...what I really don't understand is if you're wanting...an authority or you think this is going to hurt the...any one of the other sites, Peotone, Beecher, what have you, if you would put in an authority in that area or try to create one, I would support it as I would hope everybody else in this Chamber would because there's nothing wrong with an airport authority and

people trying to do something to help their...pull themselves up by their bootstraps. Kankakee County has been depressed for a long, long time, and...and collecting twenty-three thousand signatures on petitions for this airport, it has helped their morale. And if we lose that tonight, that...that is going to do nothing but dampen their...their enthusiasm and their...their ability to try and...and get their community moving again. Maybe one of the reasons that there's not an airport authority being created in Will County somewhere is because the people there don't want one, and I know that to be a fact. So, I would ask your support tonight for this...this bill. I think you would be helping a community bring itself back from...from the poverty that they've been...been in and they're starting to come back now, and I would certainly ask for your support on this...this bill. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis, the gentleman had closed. The question is,...Senator DeAngelis.

SENATOR DeANGELIS:

I appreciate the fact the gentleman was closing but he did mention my name in a plea and I just want to make one comment. I have been on record from day one in supporting that airport in Kankakee or any other site and I want the record to indicate that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce,...you wish to close? This is closing.

SENATOR JEROME JOYCE:

Well, I guess the attitude you're taking is what my father used to call a dog in the manger. And you're saying you...you're on record for any of them there, well, then what is wrong with this? The director of...of DOT says there's nothing wrong, it's not going to harm anything. He doesn't like it that we're arguing about it but I don't blame him for

that, I didn't bring him into it; he said you did this afternoon about five o'clock. They still maintain a neutral position on this and I'd ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the Second Conference Committee Report on Senate Bill 1581. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Last call. Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 17, 2 voting Present. Senator Joyce. Senator Joyce requests postponed consideration. Postponed consideration. Senate Bill 1856, Senate...Madam Secretary. Senator del Valle, 1856. Madam Secretary, 1856. Senator del Valle is recognized. Senator del Valle.

SENATOR del VALLE:

I have Senate Bill 1856 and, Mr. President, we adopted a...a First Conference Committee Report that had technical errors in it, so I need direction on how to proceed here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Having voted on the...Senator...Senator Rock.

SENATOR ROCK:

The Calendar indicates this may be the first corrected. Is that correct or incorrect? So, I think it has been corrected, Senator, I think you can proceed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Madam Secretary, Senate Bill 1856.

SECRETARY:

First Corrected Conference Committee Report on Senate Bill 1856.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR del VALLE:

On Senate Bill 1856, the House recedes from House Amendment No. 2 and House Amendment No. 3 and this returns Senate Bill 1856 to the form in which it was introduced in the Senate. I move the adoption of the First Corrected Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle, under further review of the...of the...with respect to the First Corrected Report, I am told by the Secretary that we adopted that report and, therefore, the proper motion would be for you to reconsider the vote...having voted on the prevailing side, to reconsider the vote by which the First Conference Committee was adopted. Senator del Valle has moved to reconsider the vote by which...First Conference Committee Report was adopted. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senator Dudycz, what purpose do you arise?

SENATOR DUDYCYZ:

I'm sorry, Mr. President, I'd like a little clarification on...on the House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we'll get...we'll get there in a second. All right. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion...to reconsider the...the motion is...on Conference Committee Report No. 1 is reconsidered. Now, Senator del Valle, on Senate Bill 1856 on the First Conference Committee. Senator del Valle.

SENATOR del VALLE:

Yes, thank you, Mr. President. I now move for the adoption of the First Conference Committee Report...First Corrected Conference Committee Report, and the House recedes from House Amendment No. 2 and House Amendment No. 3 and this...return Senate Bill 1856 to the form in which it was introduced in the Senate. This bill adds the chronic truancy

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rates to the list of required elements which must be reported on a school's report card. I move the adoption of the First Corrected Conference Committee Report to Senate Bill 1856.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Dudycz.

SENATOR DUDYCH:

Thank you, Mr. President. Question for the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...sponsor indicates he will yield, Senator del Valle.

All right. Senator Dudycz.

SENATOR DUDYCH:

Yeah, Senator, just for clarification, House Amendment No. 2 altered the Chicago Board of Education's tax extension and levy authority to bring an additional twenty-eight million dollars in Fiscal Year '89, the additional tax increase. Now is this removing that provision, for the record?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator del Valle.

SENATOR del VALLE:

Yes, it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the First Corrected Conference Committee Report on Senate Bill...1856. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 11, none voting Present. The Senate does adopt the First Corrected Conference Committee Report on Senate Bill 1856 and the bill having received the required constitutional majority is declared passed. Senate Bill 2028, Madam Secretary.

SECRETARY:

Second Conference Committee Report on Senate Bill 2028.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, members of the Senate. I ask that the...the Senate adopt the Second Conference Committee Report on...to Senate Bill 2028. In the Second Conference Committee Report the Senate concurs in House Amendment 1, 3, 4, 5 and 6. The House recesses from House Amendment 2 and the bill is further amended to delete provisions in House Amendment 1 relating to truth in taxation reporting requirements, the teaching of patriotism and reporting requirements for certain mandated areas of instruction. Also adds provisions that extend eligibility for vocational staff training grants to seventh and eighth grade teachers, deletes a current requirement that the regional superintendents must also be certified as district superintendents and extends until 7-1-92 the State Board of Education's authority to grant early childhood teaching certificates to persons with less than a bachelor's degree. And also, House Amendment 4 clarifies the legislative intent of the original Act. And these deletions we made in Conference Committee Report No. 2 I think satisfies Senator Maitland and Senator Weaver's concern. And I would ask for the adoption of Conference Committee Report No. 2 to Senate Bill 2028.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Kustra.

SENATOR KUSTRA:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Kustra.

SENATOR KUSTRA:

Senator O'Daniel, maybe I missed it, but is it...true that you have also taken out the educational support personnel seniority list mandate that was in the first report

and created quite a problem?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Yes, that's been removed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President and members of the Senate. And, Senator O'Daniel, I appreciate very much your efforts on...on this bill. The...the one bit of language last night was an offensive bit of language for most of us. This does incorporate many of the provisions of the Mandates Task Force. I'm pleased you've made this change and I support very strongly your motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate adopt the Second Conference Committee Report on Senate Bill 2028. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the Second Conference Committee Report on Senate Bill 2028 and the bill having received the required constitutional majority is declared passed. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, I want to state for the record that I thought I pushed my button to Yes on 1856 but it didn't record. So, if I had, I would have voted Yes on Senate Bill 1856.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The record will so reflect. Back on your original Calendar. Senator Etheredge. On the original

Calendar...is House Bill 3199. Page 7, of your regular Calendar this morning. House Bill 3139, Madam Secretary.

SECRETARY:

(Machine cutoff)...Conference Committee Report on House Bill 3199.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the appropriation bill for the ordinary and contingent expenses of the Department of Insurance in the amount of nine million nine hundred sixty-three thousand two hundred dollars. I would point out that it does include...I...I'm sorry, I misspoke, in the amount of twenty-two million a hundred and seven thousand two hundred and twenty-eight dollars. It does include ten million dollars to cover the anticipated cost of the CHIP's program. We did, earlier today, although it seems like a week ago, pass substantive...legislation that did change the eligibility and the starting date for the CHIP's program and we anticipate that the ten million dollars included here will see us through the rest of this fiscal year. I'd be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3199. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3199 and the bill having received the required constitutional majority is declared passed. On page...on page 6 of your Calendar, Secretary's

Desk Nonconcurrency is House Bill 3857, Madam Secretary.

SECRETARY:

(Machine cutoff)...Amendment No. 1 to House Bill 3857.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this was a...House Bill that created a Community Integrated Living Arrangements Licensure and Certification Act. Senator Topinka put a amendment on there that would have required the department to promulgate some rules; frankly, it's obvious that I think the department is willing to comply with that and the amendment is not necessary, and as a result, I would move to recede from that amendment.

PRESIDENT:

Bottom of page 6, Secretary's Desk Nonconcurrency, the gentleman has moved to recede from Senate Amendment No. 1. Is there any discussion? If not, the question is, shall the Senate recede from Amendment No. 1 to House Bill 3857. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. The Senate does recede from Senate Amendment No. 1 to House Bill 3857 and the bill having received the required constitutional majority is declared passed. All right, ladies and gentlemen, we'll move to Supplemental Calendar No. 2. Supplemental Calendar No. 2 is Senators Jones, Savickas, Rigney, Hawkinson and Luft. We'll start on the top, on the Order of Secretary's Desk Resolutions is Senate Joint Resolution 163, Madam Secretary.

SECRETARY:

Senate Joint Resolution 163.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the joint resolution, an explanation of the proposed amendment that we had dealt with before in the area of the tax sales redemption et al. This is the language that will appear on the ballot, has been signed by all the conferees. I would ask for adoption of Senate Joint Resolution 163.

PRESIDENT:

All right. The gentleman has moved the adoption of Senate Joint Resolution 163. Is there any discussion? If not, the question is, shall the Senate adopt Senate Joint Resolution 163. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays and none voting Present. Senate Joint Resolution 163 having received the required constitutional majority is declared adopted. On the Order of Secretary's Desk Concurrence is Senate Joint Resolution 111. Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Joint Resolution 111.

PRESIDENT:

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President and members of the Senate. I would move to concur with House Amendment No. 1. It's technical in nature of a resolution that has previously been adopted by the Senate.

PRESIDENT:

All right. Senator Madigan has moved the adoption of House Amendment...moved that the...Senate concur with House Amendment No. 1 to Senate Joint Resolution 111. Discussion?

If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Joint Resolution 111. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Joint Resolution 111 and the resolution having received the required constitutional majority is declared adopted. On the Order of Conference Committee Reports, Madam Secretary, there is a Conference Committee Report with respect to House Bill 253.

SECRETARY:

First Conference Committee Report on House Bill 253.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. First Conference Committee Report on Senate Bill 253 is the omnibus pension bill. It contains many benefits and agreements between the various pension systems across the state; the Chicago firefighter provisions as it relate to an agreement between the firefighters' pension system and the City of Chicago. The Chicago Park District also has benefits in here. Also included within this...in...in this bill is an agreement between the City of Chicago and the pension system whereby the annuitants who heretofore did not have health care coverage...which the city was paying this agreement between the city and the system whereby the City of Chicago will be able to assume fifty percent of the cost of that agreement and the annuitants would pick up the...their fifty percent. Other provisions in here as it relate to downstate policemen, downstate firefighters, Chicago police and downstate...downstate teachers,...Cook County Forest Preserve and so forth. It also has the federal age of

seventy...discrimination provision in here and many, many other benefits. There is no fiscal impact, little, if any, to the state systems. This is an agreement between those units of government and the various systems. And I ask for a favorable vote.

PRESIDENT:

All right. Senator Jones has moved the adoption of the Conference Committee Report on House Bill 253. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDENT:

Sponsor indicates he will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, one of the provisions that deal with the general provisions of all pension codes expands the legal list of investments to allow investments primarily...investments in the African Development Bank. Now, I remember all the controversy we had just a year or so ago in which the state decided that there would be no investment in companies that are involved in South Africa and certainly no investment in the Republic of South Africa. What...what is the African Development Bank?

PRESIDENT:

Senator Jones.

SENATOR JONES:

From what I understand, there is federal legislation in Washington on this issue from Congresswoman Cardiss Collins. It is not mandatory legislation, it is permissive...legislation and if...I don't believe it relate to the same type of situation that we discussed as far as divestment in...in the South African...country.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

No, Senator, you didn't answer my question. What I want to know is what is the African Development Bank?

PRESIDENT:

Senator Jones.

SENATOR JONES:

To the best of my knowledge, I don't have that information at this point. That...when we sat in the conference committee, I wish you had brought that up with the House members and you did not even address that particular issue. But for...and you...well, you did not address that when we conferees sat down. So, at that time you showed no concern about it whatsoever and now you show an interest. But it was there...put in at the request of the House and you were there at the time.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Wrong, Senator. I did raise the issue, I raised the issue when you weren't there, I raised the issue when the House staffperson came to talk to me here on the Senate Floor. And it was my understanding that that was going to be left out of this Conference Committee Report, 'cause the best of my knowledge, I haven't been able to find anybody who knows what the African Development Bank is; yet, we're insisting that we put language in this report that gives permission to invest any of our pension funds in the African Development Bank. The least you can do is tell us what it is.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the

Senate. Senator Jones, does the settlement agreement reached by the City of Chicago and the four city pension funds provide that only the city's obligation to pay fifty-percent of the costs for those annuitants terminate on December 31st, 1987 and not the requirement to provide hospitalization coverage for the annuitants as referred to in subsection E throughout the bill? The...the...the...and the obligation to continue providing hospitalization coverage would continue...on...on the city?

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yes.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Okay, just...just to clarify that the city's obligation then, Senator Jones, to provide hospitalization does continue past the ten years when the fifty-percent requirement ceases.

PRESIDENT:

Senator Jones.

SENATOR JONES:

To that question the answer is, yes, un-huh.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Okay. I...I wish to declare that on this bill I may have a conflict of interest and will be voting Present.

PRESIDENT:

Oh, I'm sorry, I didn't mean to cut you off, Senator, I thought you had asked your rhetorical question and...Senator Schuneman.

SENATOR SCHUNEMAN:

Well, no, sir, I...I was still seeking an answer to my

question. I thought Senator Marovitz apparently had an answer but he's on a different subject. So I guess I would...would direct my question to the sponsor one more time. Can you tell us what the African Development Bank is since you're asking us to approve the report that would allow investments in that bank?

PRESIDENT:

Senator Jones.

SENATOR JONES:

Senator Schuneman, you and I have worked together for a number of years. If you had a real concern on that African Development Bank, my office is right in back of these Chambers, you haven't said one word to me but you asked the House members. Now this...this...this request was put in, when we sat there at conference committee you did not bring it up. Now you want to come on the Senate Floor at this particular point in time and make an issue of it. If you had a real concern, as you have had on other pieces of legislation, you would have come to my office, I would have gotten that information for you. If you don't want to vote for the bill, don't vote for it. But if you want information on this, you know I would have given it to you, I would have got it for you.

PRESIDENT:

The gentleman has indicated three times now he doesn't know. Senator Schuneman.

SENATOR SCHUNEMAN:

...thank you, Mr. President. I don't think he really ever said he didn't know, but I...I tend to believe that he does not know, and I don't think anybody around here knows what the African Development Bank is, I've been asking that question. And...and I may not have gone to your office personally and asked you, Senator, but I have been asking it. Anyway, aside from that, that is an issue on this Conference

Committee Report. To the...to the people on this side of the aisle, this particular Conference Committee Report, frankly, has...has little that is controversial in it for those of us who are interested in the statewide systems. It affects almost exclusively the Chicago systems and represents the agreements apparently that have been made between the city and the unions. I think those of us who have a concern about some parts of the bill can vote against it or for it. There's no big impact on any of the statewide systems in this with the exception that we don't know for sure what the African Development Bank is. Thank you.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

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

PRESIDENT:

Sponsor indicates he will yield.

SENATOR NETSCH:

Thank you. I believe it does impact on a number of local pension funds, particularly some of the Chicago area funds. And I'm not sure I heard correctly your opening statement. It does have some financial cost to those systems, is that correct?

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yes, you are...are correct, but what I was speaking of was your state systems. But it does have impact on the local system but this is the agreement between that unit of government and that...and that particular system.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you. If I am correct, there also is a provision which exempts any of those changes that we are mandating on local pension systems from the State Mandate's Act. Is that correct?

PRESIDENT:

Senator Jones.

SENATOR JONES:

You are correct.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Just a comment. I guess in a sense, here we go again. One of the things that we hear most often from local units of government is that we determine an awful lot of pension benefits and in many cases force them on to local units of government and then always...always exempt them from the State Mandate's Act. I understand that your response will be probably that they were negotiated by those units of local government, and...and that may or may not be true in the case of all of them. But, again, it seems to me that we are...we are doing exactly the opposite of what we thought we were doing when we originally adopted the State Mandate's Act which is that if we adopt a provision, even if it has been agreed to by the unit of local government, if we put it into law, we should pay for it, and we are not doing that and we are creating enormous...burdens on units of local government and we are helping them to create burdens on themselves. And it seems to me that it is not very wise policy.

PRESIDENT:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

To be consistent, I have, as a State Representative and again as a Senator, asked my colleagues to withdraw any funds and worked hard to withdraw funds from...from South Africa

and from Africa and I had committed myself to vote for this bill, Senator Jones. (Machine cutoff)...if you can get on the mike and assure that this has no investment and nothing to do with South Africa, I have no problem.

PRESIDENT:

Senator Jones.

SENATOR JONES:

As I indicated in my opening remarks, Congresswoman Cardiss Collins is pushing through this legislation in Washington. Her staff called me about it because the legislation was introduced in the House by Representative Robert LeFlore. And I know how Robert LeFlore is. Now for you to come on the mike and say to me that this is dealing with the South African Government, this is not the case. If you want to listen to Senator Schuneman on this case, all...all...all well and good. But I would not be sponsoring a piece of legislation to put monies in...in the Government of South Africa, give me credit for having that much sense. But I do respect the Congresswoman from the Second...from the 7th Congressional District and she wanted this piece of legislation in at the state level because they are doing it on the congressional...at the national level and it is not for the...the Government of South Africa.

PRESIDENT:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Senator. I did not indicate that you would do that. I needed to know that this is not what you are doing. I think that you answered my question. I have fought on this Floor and will be fighting on this Floor again to prevent our pension monies from going to South Africa. And I want to make sure that this money that we're going to be voting for is not going into South Africa.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDENT:

He will as soon as we can hear. Hold on just a minute.
Senator Fawell.

SENATOR FAWELL:

One...one question about this bank. Where is it? Is it in Africa or is it the United States? What...what state is it in, if it's in the United States, just, you know, somewhere in the world?

PRESIDENT:

Senator Jones.

SENATOR JONES:

It is not a bank per se, it is an economic development bank pooling resources together, here's...here's Representative LeFore come over and explain, but it's not what you...what...it is not a bank per se, it just offer economic assistance to African nations...particularly minorities.

PRESIDENT:

All right. Further discussion? Senator Fawell.

SENATOR FAWELL:

...it is...it is not a bank? What...we're going to invest in...in what?

PRESIDENT:

Senator Jones.

SENATOR JONES:

It is legislation that I...it is legislation that I am informed has been passed in Washington to allow banks to do economic development in depressed areas of...African nations, that's what it is, economic development.

PRESIDENT:

All right. Any further discussion? If not, Senator Jones may close. (Machine cutoff)...to close?

SENATOR JONES:

Thank you, Mr. President, and...and members of the Senate. As I indicated to you in response to Senator Netsch's remarks, these...the legislation is...relate to the Chicago Park District, the City of Chicago, the Metropolitan Sanitary District. They made the request to us...to...to introduce this legislation. We did not make this request. As it relate to the downstate retirement systems, the universities and all the other benefits in here, there is no fiscal impact to those systems. All...everything has been agreed to in this legislation by the system as well as by the City of Chicago and the various pension systems. Therefore, I ask for a favorable vote on this legislation.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on House Bill 253. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 Ayes, 11 Nays, 9 voting Present. The Conference Committee Report is...Senator Jones.

SENATOR JONES:

Postponed consideration.

PRESIDENT:

All right. The gentleman wishes that further consideration be postponed. It's so ordered. Senator Savickas, 3085, Conference Committee Report. On the Order of Conference Committee Reports, there's one with respect to House Bill 3085, Madam Secretary.

SECRETARY:

Second Conference Committee Report on House Bill 3085.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, I would move that we adopt the Second Conference Committee Report to House Bill 3085. The only language that's added in this report is that the park district must submit a report on their budget and operations to the City Council of the City of Chicago. That's all it is, and I would move its adoption.

PRESIDENT:

Discussion? The gentleman has moved the adoption of the Conference Committee Report. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Mr...Senator Savickas, is this the report you showed me earlier?

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

I'm sorry, Mr. President. What...what does this conference committee do?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

It requires the Chicago Park District to file an annual report with the city council under appropriations and budget and operations.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

You mean they don't do it now?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

No.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Do they just report to the board members of the park district, is that what they're doing?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, the budget is printed in the newspaper of citywide circulation, and that...that's the only report that they do. They put out an annual report...they publish an annual report. This directs them to issue an annual report and a budget report to the city council. That's it.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the...

PRESIDENT:

I...I beg your pardon,...Senator Lechowicz, I thought you had concluded.

SENATOR LECHOWICZ:

No. Thank you, Mr. President. So...it's no type of review, they just have to submit the report to the city council, the city council doesn't act upon it, review it, they just report it to them, is that correct? They can't pick up the newspaper like everybody else and read the park district report in the newspaper, is that right?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, evidently there are some aldermen that probably can't read the newspaper and they felt a little insensed over what is happening and they want the park commissioners to send them a report, what could I tell you?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Key legislation, I'm sure. Thanks.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Collins.

SENATOR COLLINS:

Senator, to...to your knowledge, do all of the other boards, like the library board, the Board of Education and others, submit annual reports to the city council? Required by law...and...and did we pass...require it by law?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

To my...knowledge? I don't know.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Well,...like Senator Lechowicz, what is the purpose? I mean, what...what is the objective of this? I'm sure if we are going to process it and...and spend tax dollars passing this legislation, there must be some problem or, you know, something that we want to correct or make better or whatever. So what do you hope to achieve by it?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Obviously, since the city council, like the State Senate, are the ones that approve the nominees to the park board, they feel that they should know what's going on and they want to have this input. I would suggest that you call the mayor and the city council and ask them why they...they want this.

HB 3470
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I have no idea. This is put on the Conference Committee Report by the mayor's representatives. It was agreed to, I don't know how willingly, but agreed to by the lobbyist for the Chicago Park District and we offer it as this Conference Committee Report No. 2.

PRESIDENT:

All right. Any further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 3085. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, 2 voting Present. The Senate does adopt the Conference Committee Report on House Bill 3085 and the bill having received the required constitutional majority is declared passed. 3470, Senator Rigney. On the Order of Conference Committee Reports, Madam Secretary, is House Bill 3470.

SECRETARY:

Second Conference Committee Report on House Bill 3470.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Mr. President, this, hopefully, now is the agreed version of the Charitable Games Act. Does several things; first of all and probably most importantly, it repeals the sunset of the present Act. If we do not pass this legislation, there will be no charitable games after September 1st of this year. It raises the bet limit from five dollars to ten dollars. It deletes the limit for one location. For those counties under sixty thousand population it does two things, it allows the Department of Revenue to waive the bond requirements providing the charity can prove that they can pay their bills, it allows up to eight games at one location but it does not, and I repeat, does not, increase the limit for any one charity,

this remains at four games. It also further provides that a raffle may be conducted as a part of the event.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 3470. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, there are 53 Ayes, 3 Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 3470 and the bill having received the required constitutional majority is declared passed. Senator Hawkinson, 3636. On the Order of Conference Committee Reports, Madam Secretary, is House Bill 3636.

SECRETARY:

Second Conference Committee Report on House...pardon me, on Senate Bill...pardon me, House Bill 3636.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This is identical to the First Conference Committee Report except for a drafting problem. The first problem was...the First Conference Committee Report was drafted by House staff instead of by LRB. This has been done properly now and properly numbered. Briefly, it provides the annual library grants by the Secretary of State, the per capita grants, and it's now been squared with the appropriation for the year. It allows the Fort Sheridan military personnel to be allowed...free use of the public library there. It also permits the State Genealogical Society to have some space in the Archives Building and that's been agreed to by the Secretary of State. And finally, puts in some language reflecting the computer updating and retrieval system as operated in the state. This

language was contained last year in House Bill 1602, it's the same as the one we passed unanimously earlier today. And I would ask for its approval.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 3636. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 3636 and the bill having received the required constitutional majority is declared passed. 1781, Senator Luft. Bottom of Supplemental 2 is Conference Committee Report on Senate Bill 1781, Madam Secretary.

SECRETARY:

Second Conference Committee Report on Senate Bill 1781.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Conference Committee Report No. 2 on Senate Bill 1781 is the same as Conference Committee Report No. 1 with the exception of that we deleted the requirement that all public...utility...rates reflect the reduction in public utilities' expenses that resulted from the Federal Income Tax...Reform Act of 1986. There was...there was an objection to that provision in Conference Committee Report No. 1 by the House and we've decided to delete that provision. And I would move for the adoption of Conference Committee Report No. 2 to Senate Bill 1781.

PRESIDENT:

All right. Senator Luft has moved the adoption of the...Second Conference Committee Report on Senate Bill 1781. Discussion? If not, the question is, shall the Senate adopt

the Conference Committee Report on Senate Bill 1781. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1781 and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...Secretary assures me that Supplemental Calendar No. 3 is on its way so we will just stay put, please. All right, ladies and gentlemen, Supplemental 3 is being distributed. I would just...ask the sponsors to take a look, Senators Etheredge, Philip, Friedland and Savickas. Senator O'Daniel, for what purpose do you arise, sir?

SENATOR O'DANIEL:

Mr. President, I ask leave of the Body to have Senator Holmberg added as a hyphenated cosponsor of Senate Bill 2028.

PRESIDENT:

All right. The gentleman seeks leave to show Senator Holmberg as the...hyphenated cosponsor on Senate Bill 2028. Without objection, leave is granted. Resolutions.

SECRETARY:

Senate Resolution 1299 offered by President Rock and all members.

PRESIDENT:

Consent Calendar. All right. The Secretary has informed me that Supplemental Calendar No. 3 and the accompanying documents have been distributed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Bill 3464, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Second Conference Committee Report on House Bill 3464.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge. Take it out of the record. 3946,

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question, the Ayes are 28, the Nays are 25, 2 voting Present. The Senate...the Conference Committee Report is not adopted and the Secretary...shall so inform the House. Senator Friedland.

SENATOR FRIEDLAND:

...Second Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Senate Bill, Senator Savickas. Senate...Senate Bill 1795, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

(Machine cutoff)...Corrected...Conference Committee Report on Senate Bill 1795.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, the Conference Committee Report for Senate Bill 1795 has five items. One deals with the Homer School District. One permits notices to be mailed by certified rather than registered mail. The third major provision provides that the Chicago Board of Education...the prohibition that the Chicago Board of Education had from using school property formerly occupied by the Chicago Park District, and this is so that they can get back into one of those schools and lease...lease part for the Board of Education to use the classroom and part for the park district, they have joint use of the facilities. And the last part is petitions...filed for the establishment of a community unit school which may include a proposition to elect school board members by district rather than at large. I understand there's no opposition, I would move its concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Dudycz.

SENATOR DUDYCYZ:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Dudycz.

SENATOR DUDY CZ:

Senator Savickas, our...our analysis states that one of the provision allows the Chicago School Board to negotiate among the two highest bidders on the sale of a property. Can you tell me why...why is that provision in there? Why are we...why are we doing this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, if that's...that is probably existing language. The only changes...yes, I'm informed that it is a change so that they can get the best price so that they have two...two bidders, not just put it out and if there's only one bidder for the property, they just sell it to it. Now they want...they want to have the two competing bidders.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Maybe my question is along the same vein. According to our analysis, this changes Chicago's two ninety-nine's real estate sales and lease practices, is that what they're referring to as far as the Board of Education. What is Chicago's two ninety-nine's real estate sales and lease practices?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, I don't know the whole two ninety-nine real estate sales and lease practice, I obviously don't practice in that field. But this...this was the purpose...when we say changes, it was the purpose to allow for the two bidding

before they purchase the property...or sell the property.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...I'm sorry, Senator Lechowicz.

SENATOR LECHOWICZ:

Does that only apply to the Board of Education in...as far as Chicago's two ninety-nines?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, this only applies to Chicago's Board of Education.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

I would just ask your adoption of Conference Committee Report No. 1 to Senate Bill 1795.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the First Corrected Conference Committee Report on Senate Bill 1795. 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 40, the Nays are 14, none voting Present. The Senate does adopt the First Corrected Conference Committee Report on Senate Bill 1795 and the bill having received the required constitutional majority is declared passed. Senator Philip on 3946. Senator Philip, 3946? Supplemental Calendar No. 3. Senator Philip,...Supplemental Calendar No. 3, 3946? All right.

PRESIDENT:

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

SENATOR PHILIP:

I'd ask leave to take over the sponsorship of House Bill 4220.

PRESIDENT:

All right. The gentleman seeks leave to assume the chief sponsorship of House Bill 4220. Without objection, leave is granted. Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President. There'll be a Democratic Caucus in Room 212 immediately.

PRESIDENT:

All right. That request is in order. Democratic Caucus immediately in Room 212. The Senate will stand in recess.

RECESS

AFTER RECESS

PRESIDENT:

(Machine cutoff)...will come to order. 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 3946 and request a second committee on conference to consider the differences between the two Houses in regards to Amendment No. 1.

PRESIDENT:

I am sure Senator Philip would move to accede to that request. Senator Carroll.

SENATOR CARROLL:

If there is no further business, Mr. President, I move we stand adjourned until the hour of ten o'clock tomorrow morning, Saturday, the 2nd of July.

PRESIDENT:

Yes, I have discussed with Senator Philip that...the paper simply isn't moving quickly enough and rather than have

everybody sit here for two hours, we're better off coming back. So, the Senate will stand adjourned until ten o'clock this morning. Or stand in recess. I think we'll stand in recess till ten o'clock this morning.

RECESS

END OF REEL

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