

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

89th Legislative Day

March 27, 1996

PRESIDENT PHILIP:

The regular Session of the 89th General Assembly will please come to order. Will the Members please be at their desks, and will our guests in the galleries please rise? Our prayer today will be given by the Pastor Heidi Hyland, Grace Lutheran Church, Springfield, Illinois. Pastor Hyland.

PASTOR HEIDI HYLAND:

(Prayer by Pastor Heidi Hyland)

PRESIDENT PHILIP:

Will you please rise for the Pledge of Allegiance? Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Monday, March 25th and Tuesday, March 26th, in the year 1996, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

Senator Butler moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcripts. There being no objection, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Fawell, Chair of the Committee on Transportation, reports Senate Amendment 1 to Senate Bill 1764 Be Approved for Consideration.

Senator Mahar, Chair of the Committee on Environment and Energy, reports Senate Amendment 1 to Senate Bill 1266 and Senate Amendment 2 to Senate Bill 1578 Be Adopted.

Senator Woodyard, Chair of the Committee on Agriculture and Conservation, reports Senate Amendment 2 to Senate Bill 1473,

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Senate Amendment 3 to Senate Bill 1749 and Senate Amendment 3 to Senate Bill 1777 Be Approved for Consideration.

Senator Raica, Chair of the Committee on Public Health and Welfare, reports Senate Amendment 3 to Senate Bill 1365 and Senate Amendment 1 to Senate Bill 1513 Be Adopted.

Senator Madigan, Chair of the Committee on Insurance, Pensions and Licensed Activities, reports Senate Amendment 5 to Senate Bill 1246 Be Adopted; Senate Amendment 2 to Senate Bill 1256 and Senate Amendment 3 to Senate Bill 1424 Be Adopted.

Senator Karpel, Chair of the Committee on Executive, reports Senate Amendment 2 to Senate Bill 1494, Senate Amendment 1 to Senate Bill 1486 and Senate Amendment 1 to Senate Bill 1522 Be Adopted.

Senator Sieben, Chair of the Committee of State Government Operations, reports Senate Amendment 4 to Senate Bill 1389 and Senate Amendment 1 to Senate Bill 1814 Be Adopted.

Senator Bomke, Vice-chair of the Committee on Local Government and Elections, reports Senate Amendment 3 to Senate Bill 1278, Senate Amendment 4 to Senate Bill 1278, Senate Amendment 2 to Senate Bill 1402, Senate Amendment 2 to Senate Bill 1502 and Senate Amendment 2 to Senate Bill 1759 Be Adopted.

And Senator Hawkinson, Chair of the Committee on Judiciary, reports Senate Amendment 4 to Senate Bill 522, Senate Amendment 2 to Senate Bill 1268, Senate Amendment 4 to Senate Bill 1643, Senate Amendment 1 to Senate Bill 1684, Senate Amendment 3 to Senate Bill 1746, Senate Amendment 4 to Senate Bill 1796 all Be Adopted; and Senate Amendments 2, 4 and 5 to Senate Bill 1823 Be Adopted.

PRESIDENT PHILIP:

Senator Bomke, for what reason do you rise?

SENATOR BOMKE:

Thank you -- thank you, Mr. President. Point of personal

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privilege.

PRESIDENT PHILIP:

State your point.

SENATOR BOMKE:

Like to recognize Pawnee High School, which is directly behind the Senate President, with teachers Ron Ervin and Lonny Gilpin. Will you please help me welcome them to the Illinois State Senate?

PRESIDENT PHILIP:

Will they please rise and be welcomed by the Senate? If I could have your attention, I'm going to turn the Podium over to Senator Demuzio for the purpose of an introduction. Senator Demuzio.

SENATOR DEMUZIO:

Ladies and Gentlemen, if I could have your attention for a moment. This morning, Senator William O'Daniel, our colleague -- if I could have everyone's attention for a moment. This morning our -- our -- our colleague, Senator Bill O'Daniel, is -- is in the hospital here in Springfield, in Memorial, and he had a little flare-up yesterday and went to the nurse's station, and they discovered that he had a -- a pulse that was irregular and his blood pressure was up a little bit, and they kept him overnight and he's doing some tests today, and he expects to be back with us tomorrow. So I wish the record would reflect that at some point, so I won't have to be redundant in making another announcement. But in his absence, he has asked me to introduce some of -- of his constituents from his -- from his community. Particularly, he would like for me to introduce Mrs. Louise Kabat, who is the 1996 Mother of the Year, who is with us. And also behind me is Lura Lynn Ryan, the wife of George Ryan. The real Secretary of State is here with us today. Lura Lynn. And introducing Mrs. Kabat, I'd like to indicate that she is of -- of rural Scheller. And indeed, she has been the 1996 Mother of the Year, chosen by the

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American Mothers, Inc., and she will represent the Illinois Mothers, at the 61st National Convention of the American Mothers from April the 24th through the 28th, at the Cornhuskers Hotel in Lincoln, Nebraska. Following her marriage to Melvin, in 1960, she stayed home to rear a family of five children, two of which are here with her today, believing that motherhood is the greatest career that a -- woman can achieve. She has a number of farm responsibilities that take up a number of her time, and I would like to indicate that five of her children are all college graduates. Many -- and few of us can say that in this -- in this Chamber. Mark, 34, graduated from SIU, vice president of the People's Bank in Mount Vernon. He is married and has two sons and a daughter. John is an SIU graduate; he teaches at Mount Vernon. He was named the 1995 Ag Teacher of the Year for the State of Illinois. He is also married and has two children. Lois Herzing is -- is with us today -- she's not with us, graduated from SIU with both a bachelor's and master's degree in reading and language arts, and she and her husband have one daughter, and they're expecting a second child in March of -- of this year. And they've had it. It's a little girl. Mary Kozuszek - it's a great ballot name for down there, Mary - is a registered nurse and works full-time at the Good Samaritan Hospital in Mount Vernon. She and her husband are expecting their first child in June of 1996. Helen is the youngest, graduated from Southern Illinois -- Southern Illinois University with a bachelor's degree. And without any further ado, Ladies and Gentlemen, let me present to the Members of the Senate - she's very able to speak on her own behalf - the 1996 Illinois Mother of the Year, Mrs. Louise Kabat.

MRS. LOUISE KABAT:

(Remarks by Mrs. Louise Kabat)

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Peterson, for what purpose do you seek recognition?

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SENATOR PETERSON:

Thank you, Madam President. For personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR PETERSON:

I'd like -- on the Republican side in the gallery, I'd like to introduce the group from Round Lake School District - the parents, the teachers and the students. And I believe Senator Geo-Karis has a little bit of that school district in her legislative district. Right here on the Republican side in the gallery.

PRESIDING OFFICER: (SENATOR DONAHUE)

Would you -- please rise and be welcomed. Senator Philip, for what purpose do you rise?

SENATOR PHILIP:

Thank -- thank you, Madam President, Ladies and Gentlemen of the Senate. To acknowledge Senator O'Malley. We're so happy to have him back alive and breathing. And we'd also like to welcome his wife, Mary. Nice to have you both here. And also, Senator Klemm is not here today. I talked with him on the phone. He's going to be checking out of the hospital today; he's had a touch of pneumonia. He sounded good and is feeling good, and he -- will be back here after Easter. I wish the record would so indicate.

PRESIDING OFFICER: (SENATOR DONAHUE)

The record will so reflect. Senator Demuzio, for what purpose do you seek recognition?

SENATOR DEMUZIO:

Well, also, I -- some of the Members were inquiring about Senator O'Daniel. Senator O'Daniel is -- had a little flare-up yesterday. He went to the nurse's station. He had an irregular pulse; his blood pressure was up. They've been running some tests. He's doing a stress test this morning. Feels good. He expects to be back tomorrow. But if the record would so reflect,

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then I won't have to do it a number of times. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

A third time. Thank you, sir. The Senate will so reflect that. Senator O'Malley, for what purpose do you rise?

SENATOR O'MALLEY:

A point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR O'MALLEY:

Madam President, thank you very much. As you know - and -- and it was very kind of Senator Philip and -- and others of you to welcome me back today - a little more than two weeks ago, I had an experience that, I'll tell you, a lot of people have told me since they've been shocked. Believe me, nobody's more shocked than I am that it would happen. There's always good and there's bad. Let me tell you some of the good. Before it happened, I thought at forty-five I was pretty old. All I've heard for two weeks is, "How could this happen to such a young guy?" But in all seriousness, I just want to say, from my heart, to all the Members of this Chamber - all my colleagues - that your -- your kindness that you've shown to me in the last two weeks will be something that I will always remember. Mary Judith and I will both remember it. It meant a lot to me. And I'm -- I just want to let you also know that I'm back here, and in about two weeks, I'll be a hundred percent. And two weeks after that, Emil, I'll be about a hundred and twenty-five percent. But, thank you again very much.

PRESIDING OFFICER: (SENATOR DONAHUE)

We're glad to have you back, Senator O'Malley. Senator Molaro, for what purpose do you rise?

SENATOR MOLARO:

Yes. Point of personal privilege to Senator O'Malley, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Please state your point -- or...

SENATOR MOLARO:

Senator, if you want to take an extra two or three weeks and not come to committees that would be fine. We -- you know, we -- we don't want you to come back too soon. So if you don't want to come to committees, we will certainly understand that.

PRESIDING OFFICER: (SENATOR DONAHUE)

All right. I'd like to make an announcement first, before we start 2nd Readings, but there are House bills on the Calendar, and we would certainly wish to see those picked up if you so desire. And the sooner you do it, the better. Rules Committee will meet before we adjourn. And the sooner they meet -- sooner you pick them up, and the sooner they meet, the sooner they can get to committee and we can start the process all over again. So, pick up those House Bills 1st Reading. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

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

House Joint Resolution 85.

Adopted by the the House, March 26th, 1996. It's substantive.

A Message from the House by Mr. McLennand, Clerk.

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

House Bills 2695, 3133, 3157, 3447, 3546, 3547, 3601, 3614, 3670 and 3677.

All passed the House, March 26th, 1996.

We have like Messages on House Bills 2616 and 3396. Also

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passed the House, March 26th, 1996.

We also have a like Message on House Bills 347, 2725, 2735, 2745, 3281, 3348 and 3617. All passed the House, March 27th, 1996.

PRESIDING OFFICER: (SENATOR DONAHUE)

On page 2 of your Calendar, at the top of page, is Senate Bills 2nd Reading. This is the final day for bills on 2nd Reading. So I would again suggest that if you have the opportunity, to move them to 3rd, because this is the final day for 2nd Readings. Senator Mahar, on Senate Bill 1370. Out of the record. Senator Sieben, on Senate Bill 1381. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1381.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Woodyard, on Senate Bill 1437. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1437.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator O'Malley, on Senate Bill 1502. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1502.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government and Elections adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for

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consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Walsh.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh, on Amendment No. 2. Senator Walsh.

SENATOR WALSH:

Thank you, Madam President. This is an amendment that had passed committee prior to this, that was in a different Act, and we're just moving it from one Act to the other. And I would just ask for favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any -- seeing none, Senator Walsh moves the adoption, Amendment No. 2 to Senate Bill 1502. Those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Madigan, on -- out of the record. Senator Weaver, on Senate Bill 1640. Out of the record. Senator Lauzen. Out of the record. For the information of the Membership, we are going to go to Senate Bills 3rd Reading, but only those that are on the Recall List for the purposes of amendments, so we can get them in the form for 3rd Reading. Senator Watson, on Senate Bill 542. Excuse me. Out of the record, sir. Senator Parker, on Senate Bill 522. Do you wish to have this returned to 2nd Reading for the purposes of an amendment? Senator Parker seeks leave of the Body to return Senate Bill 522 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is Senate Bill 522. Mr. Secretary, are there any Floor amendments approved for

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consideration?

SECRETARY HARRY:

Amendment No. 4, offered by Senator Parker.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker, on Amendment No. 4.

SENATOR PARKER:

Thank you, Madam President. The amendment to Senate Bill 522 came out unanimously. It is agreed upon with DCFS, and was on the Agreed Bill List. And what it does is provide that natural parents may consent to the adoption of a minor by specified persons and that consent is valid only if the specified person adopts the minor. Also provides that natural and adoptive parents may create an enforceable agreement for ongoing contact between the natural parents and the minor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Cronin, on Senate Bill 1239? It's a recall, sir. Senator Cronin seeks leave of the Body to return Senate Bill 1239 to the Order -- out of the record. Senator Butler, on Senate Bill 1240. Out of the record. Senator Madigan seeks leave of the Body to return Senate Bill 1246 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1246. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

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Amendment No. 5, offered by Senators Madigan and Bomke.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Madam Chairman. Floor Amendment No. 5 to Senate Bill 1246 does three things: It's a stylistic change that would come into play when the mother and the newborn infant are discharged before the forty-eight-/ninety-six-hour rules; it removes any reference to the CHIP Program, as CHIP does not provide maternity coverage; and it sets effective dates for Senate Bill 1246, as amended.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Bomke, on Senate Bill 1256. Senator Bomke. Out of the record. Senator Maitland, on Senate Bill 1266. Senator Maitland seeks leave of the Body to return Senate Bill 1266 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is Senate Bill 1266. Mr. Secretary, are there any amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson, on Amendment No. 1.

SENATOR SYVERSON:

Thank you, Madam President. The amendment just provides that

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a shift in the siting authority does not apply to situations where the proposed site was, on April 1st of '93, owned in whole or in part by another municipality. I know of no objection to this amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any -- any discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Welch.

SENATOR WELCH:

What municipality does this apply to?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Rochelle in Ogle County.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, the question is, shall Senate Amendment No. 1 to Senate Bill 1266 be adopted. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Syverson, on Senate Bill 1268. Do you -- Senator Syverson seeks leave of the Body to return 1268 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1268. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

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Amendment No. 2, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson, on Amendment No. 2.

SENATOR SYVERSON:

Thank you, Madam President. Amendment No. 2 clarifies some of the discussion on this legislation, stating that the hard labor will be done only by repeat offenders, and also clarifies that those that do not have the mental or physical capacity would not be part of the mandatory education proposal.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor say, Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further...

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

Okay. Just a second. Senator Syverson, for what purpose do you seek recognition?

SENATOR SYVERSON:

Excuse me. I explained the wrong amendment. If I can -- if we don't -- otherwise if it's been approved, that's okay. I...

PRESIDING OFFICER: (SENATOR DONAHUE)

Why -- Senator Syverson, why don't you state, for the record, what amendment we just adopted.

SENATOR SYVERSON:

...supposed to allow local courts to use funds designated for mandatory arbitration programs or for other forms alternative dispute resolutions. And this is supported by the Administrative Office, Courts of Illinois. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Geo-Karis, on Senate Bill 1278. Senator Geo-Karis seeks leave of the Body to return Senate Bill 1278 to

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the Order of 2nd Reading for the purposes of an amendment. Is there any objection? No objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1278. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Bowles.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bowles, on Amendment No. 3.

SENATOR BOWLES:

Thank you, Madam President. This Amendment No. 3 would -- which will enable the City of Madison to annex property on Chouteau Island, which is adjacent to the old Chain of Rocks Bridge that is owned by the City of Madison. The reason for this particular amendment is that it allows the annexation -- without annexing the federal levee land which is in between the city's property and the Chain of Rocks Bridge. This passed unanimously out of committee. There were no objectors. And the purpose of this annexation is to the refurbishing of -- of the Chain of Rocks Bridge by the Trailnet Gateway {sic} (Gateway Trailnet) organization, in which intends to raise three and a half million dollars to bring the Chain of Rocks Bridge back up to standard so that it can be used as bike trail, joining the bike trails of Illinois with the bike trails of Missouri.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I have no objection to this amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

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SECRETARY HARRY:

Amendment No. 4, offered by Senators Klemm and Geo-Karis.

PRESIDING OFFICER: (SENATOR DONAHUE)

Since Senator Klemm is gone, Senator Geo-Karis, on Amendment No. 4.

SENATOR GEO-KARIS:

I ask for leave to go forward with this amendment. Amendment 4 is the one that says on page 3, line 33 after the word "action", and inserts, quote, "If the person who pays real estate taxes on the property is not the owner of record, then the payor shall notify the owner of record of the proposed annexation." And then it goes on by -- on page 4, line 5, after "disconnected", by inserting by -- quote, "by court order", end of quote. And on page 4, line 11, after the word "action", by inserting, quote, "If the person who pays real estate taxes on the property is not the owner of record, then the payor shall notify the owner of record of the proposed disconnection." I ask for the approval of this amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Madam President, there was an Amendment 2, but was it ever filed with you? All right.

SECRETARY HARRY:

Must be in committee.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker, on Senate Bill 1300. Mr. Secretary -- Senator Parker seeks leave of the Body to return Senate Bill 1300 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is Senate Bill 1300. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Parker.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker, on Amendment No. 2.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This was on the Agreed Bill List, so it came out of committee unanimous. It merely replaces "change" to "the design of" words to clarify the intent of the legislation, which is that IDOT will design, not pay for, all the handicapped signs throughout the State.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Jones, on Senate Bill 1365. Senator Jones seeks leave of the Body to return Senate Bill 1365 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is Senate Bill 1365. Mr. Secretary, are there any amendments approved for consideration?

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SECRETARY HARRY:

Amendment No. 3, offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jones, on Amendment No. 3.

SENATOR JONES:

Thank you, Madam President. Amendment No. 3 is permissive language wherein a hospital licensed under the Hospital Licensing Act, at its discretion and -- and the discretion of the -- the performing surgeon, will permit a parent or legal guardian of a minor to be in the operating room when anesthesia is inducted into that minor, as well as in the recovery room. This legislation has been worked on with the anesthesiologists' association, hospitals, and this is what the amendment does and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Bowles, on this amendment.

SENATOR BOWLES:

Thank you, Madam President. As a matter of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Can I get you right after I adopt the amendment?

SENATOR BOWLES:

Yes, thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion on Amendment No. 3? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Bowles, for what purpose do you seek recognition?

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SENATOR BOWLES:

Thank you, Madam President. I rise to announce to the Body that the Alton Youth Symphony group will be giving a program in the Rotunda at high noon today. This is a body of -- composed of children from the ages fifth grade through the eighth grade, and it's -- they have approximately seventy members from -- Alton and surrounding territory. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Thank you for that information, Senator Bowles. Senator Sieben, on Senate Bill 1389. Do you wish to have that brought back? Senator Sieben seeks leave of the Body to return Senate Bill 1389 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is Senate Bill 1389. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 4, offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio, on Amendment No. 4.

SENATOR DEMUZIO:

Thank you, Madam President. This is an easement conveyance back -- from the State of Illinois back to the County of Jersey. It's -- I know of no controversy or objections. I would move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

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3rd Reading. Senator DeAngelis, on Senate Bill 1402, seeks leave of the Body to return Senate Bill 1402 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is Senate Bill 1402. Mr. Secretary, are there any amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis, on Amendment No. 2.

SENATOR DeANGELIS:

Thank you, Madam President. Amendment No. 2 is nothing more than a technical amendment, correcting a -- a typographical error.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Madigan, on Senate Bill 1424, seeks leave of the Body to return Senate Bill 1424 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1424. Mr. Secretary, are there Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Madigan.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan, on Amendment No. 3.

SENATOR MADIGAN:

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Thank you, Madam President. Floor Amendment No. 3 to Senate Bill 1424 adds two provisions: It adds a Section in the Statutes codifying the current practice of a ten-day notice to the individual policyholder when the policy is going to be canceled for nonpayment of premium; and it -- pursuant to Senator Berman's request, it adds -- deletes the current language pertaining to underinsured motorist coverage and substitutes it with clarifying language. I'd be glad to answer any questions on Floor Amendment No. 3, and otherwise, would ask for its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Woodyard, on Senate Bill 1473. Senator Woodyard seeks leave of the Body to return Senate Bill 1473 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1473. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Woodyard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Woodyard, on Amendment No. 2.

SENATOR WOODYARD:

Yes. Thank you, Madam President and Members of -- of the Senate. This Senate amendment would actually change the certifiable -- certification of ethanol fuels from Department of Ag over to Department of Revenue. Department of Revenue and

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Department of Agriculture are both in agreement to do that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Raica, on Senate Bill 1486. Senator Raica seeks leave of the Body to return Senate Bill 1486 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1486. Mr. Secretary, are there any amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Raica.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Raica, on Amendment No. 1.

SENATOR RAICA:

Thank you, Madam President. What -- what Amendment No. 1 does is it adds Class X felonies, first degree murder, and attempted first degree murder, to the already long list of background checks to be provided when certifying a teacher, and I just ask for its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

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PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Fitzgerald, on Senate Bill 1494. Senator Fitzgerald seeks leave of the Body to return Senate Bill 1494 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1494. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Fitzgerald.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fitzgerald, on Amendment No. 2.

SENATOR FITZGERALD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Floor Amendment 2 to Senate Bill 1494 narrows the scope of the bill so that it'll only apply to class action lawsuits involving more than ten million dollars. And it would give the Legislature sixty days to act, and if we don't act, the settlement would take effect. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Maitland, on Senate Bill 1513. Senator Maitland seeks leave of the Body to return Senate Bill 1513 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is Senate Bill 1513. Mr. Secretary, there any Floor amendments

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approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senators Maitland and Parker.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland, on Amendment No. 1.

SENATOR MAITLAND:

Excuse me. Thank you very much, Madam President. Floor Amendment No. 1 to Senate Bill 1513 would allow townships statewide who do not receive State support for their general assistance program - these are otherwise referred to as non-recieving at townships - to elect to provide medical services to their indigent clients only for emergency medical care, treatment and -- and supplies. If-- if a township does choose to do this, they have to clearly adopt rules to reflect exactly what they are going to cover. The amendment does a number of other things. Madam President, I would be happy to -- to comment on any of the smaller items, and otherwise, would seek support and move for the adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Let's keep it down to a dull roar, so we can hear what's going on. Is there any discussion on Amendment No. 1 to Senate Bill 1513? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Philip, on Senate Bill 1522. Senator Philip seeks leave of the Body to return Senate Bill 1522 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1522. Mr. Secretary, are there any Floor amendments

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approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip, on Amendment No. 1.

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 1522 creates the Video Gambling Act. Amendment No. 1 grandfathers in a manufacturer-distributor. Under the present bill, you can't be a manufacturer and a distributor. This grandfathers one company in Illinois, in the Rockford area. It's a recommended -- a recommendation from that Senator.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Mahar, on Senate Bill 1578. Senator Mahar seeks leave of the Body to return Senate Bill 1578 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1578. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Mahar, on Amendment No. 2.

SENATOR MAHAR:

Thank -- thank you, Madam President, Members of the Senate.

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This provision becomes the bill. It deletes the controversial portions of the bill. It puts into compliance what we -- what we did as far as the brownfields amendment. It also expands the IEPA's authority to settle enforcement actions prior to litigation. I would move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Dillard seeks leave of the Body to return Senate Bill 1643 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1643. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 4, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard, on Amendment No. 4.

SENATOR DILLARD:

Thank you, Madam President and Members of the Senate. This amendment is a compromise brought forth by the Governor's Office and the Retail Merchants Association to redress some of the perceived excesses of last fall's eavesdropping language. It narrows the bill significantly that we passed last fall, had a thorough discussion today in the Judiciary Committee, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all

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those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. On the top of page 6 is Senate Bill 1684. Senator Fitzgerald seeks leave of the Body to return Senate Bill 1684 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1684. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Fitzgerald.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fitzgerald, on Amendment No. 1.

SENATOR FITZGERALD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Amendment No. 1 to Senate Bill 1684 simply narrows the scope of the bill so that it would only apply to any termination or cancellation of an agreement by a brewer or wholesaler in violation of the Act, would be affected. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Parker seeks leave of the Body to return

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Senate Bill 1746 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1746. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Parker.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker, on Amendment No. 3.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. In response to questions raised yesterday, we have put an amendment on Senate Bill 1746, which permits the State's attorney to extricate {sic} an alien, or -- who illegally returns, and permits the court to sentence him to any available sentence. It also eliminates aliens eligibility for meritorious good conduct credit.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Woodyard seeks leave of the Body to return Senate Bill 1749 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1749. Mr. Secretary, are there any -- are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senators Woodyard and Rea.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Woodyard, on Amendment No. 3.

SENATOR WOODYARD:

Thank you, Madam President. I would like to yield to Senator Rea on this coal council Amendment No. 3.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rea, on Amendment No. 3.

SENATOR REA:

Thank you, Madam President, Ladies and Gentlemen of the Senate. What this amendment will do is to add four Members of the General Assembly to the Coal Development Board. Each one of the four leaders in the House and Senate will have the opportunity then of appointing a person to serve on that board. Whenever it first started out, there were two Legislative Members that served on the Coal Development Board from the Energy Commission. When the Energy Commission was abolished and we went to a citizens' committee for energy, you still had two Members of the General Assembly that served. But now, we do not have any, and with the clean air legislation, it's very important that we have input because of the importance of providing the necessary monies for coal research and development on the use of -- of high sulfur coal, which we have an abundant supply. I would ask for your favorable response.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Philip, on Senate Bill 1759. Senator

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Philip seeks leave of the Body to return Senate Bill 1759 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1759. Mr. Secretary, are there any Floor -- Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip, on Amendment No. 2.

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the Senate. All this simply does is move the date up to be effective before the November election.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there any discussion? Any discussion? If not, those in favor, vote Aye. Opposed, Nay. Voting -- I'm sorry. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. ...Bill 1764. Senator Fawell, do you wish this bill returned to the Order of 2nd Reading for the purpose of amendment? Senator Fawell seeks leave of the Body to return Senate Bill 764 {sic} (1764), to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 764 {sic}. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Fawell.

SENATOR FAWELL:

Thank you -- thank you very much. This is really basically a clean up technical amendment requested by the Secretary of State. First, it removes a portion of the bill that deals with fees for certain trailers and semitrailers. And second, it allows a -- a widowed spouse of veterans who have Pearl Harbor license plates to keep the plate after the death of the spouse.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there any discussion? Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senate Bill 1777. Senator Donahue, do you wish this bill returned to the Order of 2nd Reading for the purpose of an amendment? Senator Donahue seeks leave of the Body to return Senate Bill 1777 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1777. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 3 creates an exemption for livestock facilities that have irrigation systems that are already in place, that are prior to the effective date. It also deals with

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exemptions for situations that arise for applying waste to frozen ground. And I would move for its adoption.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Top of page 7. Senate Bill 1796. Senator Molaro. Senator Molaro seeks -- do you wish this bill returned to the Order of 2nd Reading for the purpose of an amendment? Senator Molaro does seek leave to -- of the Body to return Senate Bill 1796 to the Order of 2nd Reading. Hearing no objections, leave is granted. On the Order of 2nd Reading is Senate Bill 1796. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 4, offered by Senator Molaro.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President, Members of the Senate. This is an amendment that was on the Agreed Bill List, comes from the Illinois Realtors' Association. Deletes the provision that Chicago may perform an administrative adjudication for property demolition and foreclosure. Says that, with five days after receiving a notice, a defendant may notify the municipality that he chooses to contest the allegation in circuit court instead of administrative adjudication. That's what the amendment does.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Is there discussion? Is there discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senate Bill 1814. Senator Dillard. Senator Dillard, do you wish this bill returned to the -- to 2nd Reading for the purpose of an amendment? Senator Dillard does seek leave of the Body to return Senate Bill 1814 to the Order of 2nd Reading for the purpose of -- of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1814. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Rea.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like to yield to Senator Rea, since this is an amendment that affects his district.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rea.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. Amendment -- this amendment would convey 1.1 acres to the City of Metropolis. And what has occurred there is, at one time, the City of Metropolis owned a large plot of acreage, which they had purchased for the State and the State later purchased that from the city. But what it amounts to is only 1.1 acres, which is in the corner

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of this parcel of land. And this will be close to the State park, and is something that the Department of Natural Resources and the city has agreed upon. And would ask for your approval, because it will benefit the State park, as well.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senate Bill 1823 -- 3rd Reading. Senate Bill 1823. Senator Syverson. ...Syverson, do you wish this bill returned to 2nd Reading for the purpose of an amendment? Senator Syverson seeks leave of the Body to return Senate Bill 1823 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1823. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Syverson.

SENATOR SYVERSON:

Thank you. This goes back to the bill I explained just a minute ago that defines what the hard labor would be under this legislation. Also clearly defines who would be -- who would qualify for the mandatory literacy program in prison.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

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Yes. Thank you, Mr. President, Members of the Senate. We just considered this bill in Judiciary Committee. This is the bill that would authorize chain gangs. This particular amendment, as I understand it, makes it clear that prisoners who are in medium security could be eligible for this chain gang. In fact, that's what the sponsor specifically wants. And some people have the concern, of course, that people who are not in minimum security, but medium security, who could be dangerous people who are -- now would be authorized to be out in public. And that's the reason why I voted No in committee. Just thought I'd make that clear, and ask for a roll call on this amendment.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. I'm -- I'm sorry. I did not hear you, Senator. All those in favor -- all those in favor of the amendment will vote Aye. Opposed, No. The voting is open. Have all voted who wish? Take the record, Mr. Secretary. On that vote, there are 36 Ayes, 15 Nays, no Members voting Present, and the amendment is adopted. Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Even though the bill has passed already -- the amendment has passed already, I had a question. That's what I wanted you to recognize me for on the amendment.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Collins, I -- I did not see your light. I -- I'm sorry. I did not see it. Are there any further Floor -- any other -- further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

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Amendment No. 4, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Amendment No. 4 is just a technical change, in changing the effective date to January 1 of '97.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

Amendment No. 5, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Amendment No. 5 amends various proposals that were requested by the Department of Corrections to more rapidly and effectively discipline inmates.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

He indicates he will yield, Senator Cullerton.

SENATOR CULLERTON:

Does it do anything else besides give the Department of Corrections some ability to discipline inmates? Is there anything...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Syverson.

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SENATOR SYVERSON:

Yes, there is. There's a long list of things that we could go through. The part that your probably questioning is the -- expanding the current role of -- of prison guards and their ability to conceal and carry is also in this legislation.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Is there further discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senate Bill 1887. Senator Burzynski, do you wish this bill returned to the Order of 2nd Reading for the purpose of amendment? Senator Burzynski does seek leave of the Body to return Senate Bill 1887 to the Order of 2nd Reading. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1887. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Burzynski.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I'd move to table Amendment No. 1.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Burzynski moves to table Amendment No. 1 to Senate Bill 1887. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is tabled. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HARRY:

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Amendment No. 2, offered by Senator Burzynski.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. This amendment is a technical amendment. It's one that makes some changes that were requested by the State Board of Elections and the Senate Enrolling.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Ladies and Gentlemen, we now will be going to Senate Bills 2nd Reading. We are going to do, I believe, Senator Rauschenberger, the appropriation bills, move those to 3rd Reading. So top of page 2, Senate Bills 2nd Reading. Senate Bill 1260. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1260.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senate Bill 1261. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1261.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

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3rd Reading. Senate Bill 1262. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1262.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senate Bill 1263. Senator Stan Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1263.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senate Bill 1277. Senator Raica. Senator Raica on the Floor? With leave of the -- read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1277.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Senate Bill 1347. Senator Luechtefeld. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1347.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. ...Donahue, for what purpose do you arise?

SENATOR DONAHUE:

Thank you, Mr. President. I would like to request a Republican Caucus immediately in Senator Pate Philip's Office.

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PRESIDING OFFICER: (SENATOR MAITLAND)

That request is in order, and I assume the caucus will last about one hour. Ladies and Gentlemen, there has been a request for a Republican Caucus. Senator Jacobs, for what purpose do you arise, sir?

SENATOR JACOBS:

Thank you, Mr. President. There will not be Democratic Caucus in Senator Pate -- I mean, in Senator Emil Jones' Office. We'll make ourselves available to the people who are coming down to visit with us. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Thank you. Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

Hello. Mr. President, can we have some idea as to how long your caucus might last, so that some of our Members might the idea what time to come back to the Floor?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue -- Senator Demuzio, I -- I did indicate that it would be about an hour. And we would then further ask the Members to -- to keep that thought in mind. On or about 1:30 be back on the Floor, because we will be going to the Order of 3rd Reading - Senate Bills 3rd Reading. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

So then the schedule for the afternoon is to go back to the Order of 3rd Reading and then do the Appropriations Committee whenever...

PRESIDING OFFICER: (SENATOR MAITLAND)

That is correct, Senator. That is correct. Senate stands in recess to the call of the Chair.

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(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate will come to order. House Bills 1st Reading.

SECRETARY HARRY:

House Bill 378, offered by Senator Fawell.

(Secretary reads title of bill)

House Bill 379 is presented by Senator Jacobs.

(Secretary reads title of bill)

House Bill 427, by Senator Peterson.

(Secretary reads title of bill)

House Bill 431, presented by Senator Woodyard.

(Secretary reads title of bill)

House Bill 2533, by Senator Syverson.

(Secretary reads title of bill)

House Bill 2618, offered by Senator Syverson.

(Secretary reads title of bill)

House Bill 2664, by Senator Rauschenberger.

(Secretary reads title of bill)

House Bill 2670, presented by Senator Dudycz.

(Secretary reads title of bill)

Senator Klemm offers House Bill 2695.

(Secretary reads title of bill)

House Bill 2711, by Senator Sieben.

(Secretary reads title of bill)

House Bill 2725, presented by Senator Raica.

(Secretary reads title of bill)

House Bill 2735, by Senator Klemm.

(Secretary reads title of bill)

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House Bill 2773, offered by Senators Dillard and Fawell.

(Secretary reads title of bill)

Senator Philip offers House Bill 2799.

(Secretary reads title of bill)

House Bill 2819, Senator Karpel.

(Secretary reads title of bill)

House Bill 3050, by Senators Maitland and Welch.

(Secretary reads title of bill)

House Bill 3057, Senator Klemm.

(Secretary reads title of bill)

Senator Dunn offers House Bill 3133.

(Secretary reads title of bill)

House Bill 3233, Senator Parker.

(Secretary reads title of bill)

House Bill 3300, presented by Senator Rauschenberger.

(Secretary reads title of bill)

House Bill 3447, Senator Bomke.

(Secretary reads title of bill)

House Bill 3549, presented by Senator Sieben.

(Secretary reads title of bill)

House Bill 3601, Senator Palmer.

(Secretary reads title of bill)

Senator Sieben offers House Bill 3637.

(Secretary reads title of bill)

And House Bill 3677, offered by Senator Woodyard.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Resolutions.

SECRETARY HARRY:

Senate Resolution 183, offered by Senator Raica.

It's substantive, Mr. President.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1947, offered by Senator DeLeo.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

...the information of the Membership, we will be going to the Order of Senate Bills 3rd Reading at the bottom of page 2 -- make that at the top of page 3. We will be beginning with Senate Bill 542. We will be skipping those bills on 3rd Reading which have been brought back and have been amended on the Floor this afternoon. So we will be going to the top of page 3, Senate Bills on the Order of 3rd Reading. Top of page 3, the Order of Senate Bills 3rd Reading. Senate Bill 542. Senator Watson. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 542.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes. Well, thank you, Mr. President. Well, first of all disregard the -- the Secretary's comment that -- this has absolutely nothing to do with the lobbyist Act. We've struck everything after the enacting clause. And this particular piece of legislation is a result of the Audit Commission's initiative that took place about two years ago, asking for various agencies of State Government to come in and recommend doing away -- repealing laws that would be considered unenforceable and -- and just kind of frivolous. And we had some -- oh, a hundred and

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twenty-three different State agencies came in to testify in regard to the -- to this -- this particular proposal and made recommendations to the Audit Commission -- or, to the Auditor General, I guess I should say. The Audit Commission, then, took -- took the report that came from the -- the Auditor General and they came up with some nine hundred and twelve different legal Statutes that they felt were obsolete, unenforceable and are unnecessarily burdensome. We came with the report, and we have that here, and I have it with me now. The problem, quite frankly, with this is that there is some politically sensitive language in here that some people would just as soon not vote on as a result, and therefore, going back home and try to explain why they repealed a particular Act, even though the Act isn't being implemented. In many cases, it's -- it's obsolete and has been for many years. There's just that political sensitive issue there. So we've decided, in the Executive Committee today and the members of the Audit Commission, to pass this shell bill over to the House, convene the Audit Commission members once again, and discuss the recommendations that came from the various agencies of State government when we come back in April, hopefully, come up with an agreed-to amendment, amend it in the House, bring it back here for concurrence, and we will put this baby to rest. That is the intent of the sponsor. So I would ask your support, and I think the other Audit Commission members agree with this approach. And I would be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President. I -- I just wanted to confirm what Senator Watson has said, and -- and I appreciate his not moving this bill forward this morning and -- and allowing it to go on to the House, and for all of us to work together on getting rid

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of the obsolete language, which was the intent of the Audit Commission.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 542 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And Senate Bill 542, having received the required constitutional majority, is declared passed. Senate Bill 1228. Senator DeAngelis. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1228.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. When the subsidy for housing, the voucher system, was first developed, it was designed to move people out of the projects and it segregated areas to allow them to move out into the various communities across Cook County so they could be closer for an opportunity for employment. What has happened since that time, in the last twenty years, is that we have had a situation in which that housing has become, once again, clustered, and it's become clustered in those communities which offer the least job opportunities. So the social intent of the program, though well-intentioned, has been a tremendous flop. Senate Bill 1228 simply says that the number of rental units with the voucher Section 8 housing will be limited to two percent of the total rental units of a community unless approved -- unless approved by the community itself or the village board. Of all the

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Section 8 families in Cook County - and, by the way, this bill only applies to Cook County - live -- over half of them live in only seven of the hundred and twenty communities in Cook County. And also, those communities that they live in, in most instances, are those communities which offer the least amount of employment opportunities. This bill was passed once before, did not get out of the House. I would urge repassage of this and send it over to the House. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. I understand Senator DeAngelis' concerns; however, I do not think that at a time when there is a critical housing shortage in certain compacted or high-density populated areas, such as the City of Chicago, where there is a tremendous need to move people from the CHA Housing dilapidated properties and spread them out, hopefully throughout Cook County, that we should not be passing any law that would put restrictions on where these people - Section 8 people may be able to move. I think if you leave it up to -- to the -- the local villages, you will -- the -- the - which is not the intent of this sponsor, and I don't believe that - you will find that they will never ever allow for people to move in their areas that has been stereotyped as a -- destroying property values, committing crimes, you know, high crime rates, and all of the other stereotype notions about poor and minority people would make -- would make any such efforts in this bill, absolutely will pass, and -- and that people would not be able to move into those areas. While it may not be the intent of the sponsor, or it may not even happen in your community, and I can understand that it is densely populated in terms of Section 8 housing being built there. But, this bill don't just affect your area; it affects more than

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your area. And for that reason, we just should not be doing that. And -- and I don't think it will stand up in court anyway. But I think, Senator, you ought to look at some other alternatives for dealing with your problem. But you most certainly do not want to do it this way. You know, we passed and fought, a long time before I came here, to open up housing and provide opportunity for people to live wherever they can afford to live. And that's what we ought to stick to now. You most certainly don't want to go backwards. This is a step, if you open the door, the floodgates will fly open and then people will be totally, totally confined to certain areas of this -- of Cook County, especially where they can live. For that reason, I think this is a bad idea.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Trotter.

SENATOR TROTTER:

Senator DeAngelis, as this law is written, is it in violation of any federal laws...?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

I don't know. I don't think so.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Trotter.

SENATOR TROTTER:

Okay. According to some information that I've received, it would be -- in fact, be in violation of -- of some federal laws. One is that there is not a -- a definitive definition of what low-income rental housing would be and how that breakdown would

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actually go throughout the districts, which in the federal legislation, it defines where houses should be and how they should be -- should be placed, and there should not be any kind of thing restraining that -- that kind of a distribution of housing. Also in this -- is there presently, also, to your knowledge, any kind of information that this would -- that there's legislation on the federal level that's being considered which would address these issues?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Senator Trotter. Yeah, there is. There was a meeting -- several meetings. In fact, there was a meeting in Washington not too long, recognizing this resegregation that is occurring and the forcing of the dilapidation of some of these areas. Let me just tell you, there's a profit motive that's involved in this, to the people that own the housing. And because of the restrictions that surround where people can go, the communities that are not open, they can get a much higher rent, because the person carries the voucher with them that's based on the amount of bedrooms and so forth. But there is federal legislation that recognizes what's happening with this program and is trying to address it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Trotter.

SENATOR TROTTER:

So in that that there is federal regulation, then why are we doing it on the State level? Wouldn't that supersede what we're trying to do here, and this would essentially be a waste of time?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

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Well, Senator Trotter, you have been here a while, I have been here longer, and I have, many occasions, seen State legislation that complements federal legislation. The fact that the feds do something. Look at our own Medicaid programs, and so forth; we work hand in hand with them. This is a -- a situation in which we're trying to recommend a supplemental to whatever the feds do. The feds would never get this specific on any type of legislation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Trotter.

SENATOR TROTTER:

Just -- just to the bill: I -- I believe that this -- for one, the legislation is duplicative of some things that are happening on the federal level, and the necessity of us passing it in this Body is certainly that we should not be doing until they resolve some of the issues on the federal level. To the point when you mentioned about the Medicaid plan, we've just got okay through HCFA for us to work together, that we didn't have in the beginning, because we don't want issues that are duplicative and would be in conflict with federal law and we'd have to overturn in the end. This legislation is -- speaks to that so -- same kind of issues. I believe that we should not vote on this until we get some definitive information back from the feds, and I ask everyone to vote No at this time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any...

END OF TAPE

TAPE 2

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PRESIDING OFFICER: (SENATOR DUDYCZ)

...discussion? Senator Shaw.

SENATOR SHAW:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Shaw.

SENATOR SHAW:

Senator DeAngelis, how does this -- do we have a court decree dealing with this Section 8 housing up there in the northern district?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

How is -- how would this legislation impact on not particularly my community, my area, the other areas that don't have the -- the Section 8?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, this would force what the intent was of the legislation, and that is the dispersion of the Section 8 vouchers across the county. You have a community, and I have a couple of them, that are -- highly impacted by Section 8. This gives more opportunities and helps implement the decision. It does not take away from it. Right now, what's happened is in direct contradiction to what the intent was and what the control decision was - the control decision that says, "Let people go wherever." That's not happening. They're going into seven communities out of

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a hundred and twenty.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

The -- I'm trying to see what will this legislation do with the court decree, if anything, and would this stop people from coming into our area or district as it relate to Section 8 under this legislation. Which one take preference?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

I don't think I understand the question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

I'm -- I'm trying to figure out which one take preference: the court decision or this legislation, in terms of -- as it affects our area.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, the court decision I was referring to was the control decision. That -- had -- that simply said that people should be allowed to go wherever they can, provided they have this voucher.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Palmer.

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Palmer.

SENATOR PALMER:

Senator DeAngelis, I'm looking at my analysis, and it says

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that seventy percent of the new Section 8 housing is located in the south suburbs. Is that correct? And if so, could you just comment on what impact that has had on the schools? I understood there were about twenty thousand new children that came into the school system in the area. Could you just give us some of the demographics?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

We have seventy percent of the total amount of Section 8, not just the new ones. I have a map right here which will show you the impact, and as you can see, it's very, very much clustered.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Palmer.

SENATOR PALMER:

Thank you. Just one last question. You mentioned particular areas where the Section 8 housing is concentrated. Is that -- what's the income level of the people in that area now, as far as you know, just in general, and what's the job situation in those areas?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, the income level is obviously no or none. And the job situation: They happen to be located, as well, in the towns that have the highest unemployment. So, I mean, the job opportunities aren't there.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Palmer.

SENATOR PALMER:

So are you saying that this is exacerbating a poverty level in these areas?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Absolutely.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any -- any further discussion? If not, Senator DeAngelis, to close.

SENATOR DeANGELIS:

Well, thank you, Mr. President. I'm just saying that if we have a program that was put in place twenty years ago and it's not working, why not try something that will work? Somebody was suggesting - one of the speakers - I think it was Senator Collins, that this was limiting. It's not limiting. What it's doing is opening up other areas, because right now what happens is people end up gathering in these communities, and then they stay there and they don't get a job. And what happens is that you have the very same situations, after a while, that they tried to escape from. Resegregation is not an answer. Resegregation is not an answer to any type of societal problem. I urge your Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1228 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 Ayes, 17 Nays, none voting Present. And Senate Bill 1228, having received the required constitutional majority, is declared passed. Senate Bill 1239. Senator Cronin. Senate Bill 1240. Senator Butler. Senate Bill 1243. Senator O'Malley. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1243.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President. Senate Bill 1243 amends the Chicago Teacher Article of the Pension Code to authorize the granting of additional benefits - incidentally, I want to emphasize the word "authorize"; it doesn't mandate it - authorizes the granting of additional benefits to persons who began receiving early retirement benefits in 1993. Requires the additional benefits to be proposed by the Pension Board, in consultation with the Board of Education and the teachers' labor organization. It also requires the input from the Mayor and the City Council of Chicago. Be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Cullerton.

SENATOR CULLERTON:

Senator, there are a couple of amendments on the bill, and I -- I just wanted to make sure you were aware of that, since I think they may have been put on in your absence. Actually I'm inquiring: Were there amendments that were adopted?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

We are talking about Senate Amendment No. 1, which allows the Chicago Teacher Pension Fund assets to be put under the prudent person rule, Senator Cullerton. I'm aware of that one. Is there another one that you... Good.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Yes. I just wanted to let you know that -- I believe that Amendment No. 2 was adopted as well, and I don't think you were here, so I wanted to just make sure that you're aware of it. I don't think you would have any opposition to it, but it has to do with the early retirement option for the Chicago teachers.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President, Members of the Senate. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Molaro.

SENATOR MOLARO:

Does the sponsor know if this went through the -- the newly created Pension Laws Commission, in the bill we passed last year, if there was discussion or a meeting of the Pension Laws Commission where this was discussed?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

The answer to the question is, no, it did not. This is not a granting of a State pension benefit. This is the permitting of additional pension benefits under the Chicago Teacher Article of the Pension Code, and of course, that's all done locally, back in the Chicago area.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

SENATOR MOLARO:

Does the sponsor know whether or not he has talked to the

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Speaker of the House of Representatives or the President of the Senate as to whether or not there is going to be any pension legislation that is going to get out in this General Assembly before we adjourn? Has he heard any word about that? And -- and, mainly, the reason I asked is this: When you give five-plus-five or early retirement incentives, as you well know, Senator, the phones will be ringing off the hook as to whether or not it did pass, when it is going to take effect, whether there will be other five-plus-five, what this window of opportunity. And before we get all these teachers calling us up and saying, "Hey, is it law now; can I go down to my pension fund", I would just like to be able to say to them, Senator O'Malley passed it; it passed the Senate; and we know, or we think we know, or we have a reasonable certainty that it will be passing the House.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Molaro, I do believe that the House will be receptive to this legislation, and the reason I believe that is because it is permissive; it is not mandating. Doesn't mandate a benefit. It simply says back home, where -- and I'm -- I'm sure you will recall that this -- this grew out of a situation where some Chicago teachers took early retirement and they felt they should have had the opportunity to maybe consider it a year later than they actually felt they were forced to take it. Now, this doesn't mandate that these benefits be given. It merely empowers back home so that they can -- they can actually debate it with their pension fund, et cetera, and which currently they do not have the right to do.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? Senator Welch.

SENATOR WELCH:

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I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator, how is this going to be paid for?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Welch, this is going to be a local-control issue, decided by the pension board back home. It is not something that we, as a State, are paying for. That's why we are not mandating it. We are simply authorizing it to allow the Chicago teachers, who are retired, who feel they were wronged, to have an opportunity to at least discuss it back home.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Well, you know, this is one of those non-tax increases that basically go back to the local districts and it ends up being a tax increase. This is kind of how Bob Kustra got into some trouble, voting for things like this. So, you know, it may not be a tax increase right today, but eventually, it will result in a tax increase.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator O'Malley, to close.

SENATOR O'MALLEY:

I would simply say, Mr. President, that this is not a tax increase. This is -- this is to empower and authorize teachers who have looked for a remedy to what they felt was a wrong done to them back in 1993, to give them a remedy at least to discuss it locally back in Chicago. And I would ask for your favorable support. Thank you.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1243 pass. All those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, 8 Nays, none voting Present. And Senate Bill 1243, having received the required constitutional majority, is declared passed. Senate Bill... Senator Geo-Karis, what purpose do you rise?

SENATOR GEO-KARIS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I'm delighted to have in the back gallery three of my constituents: Mary Reljic - R-E-L-J-I-C - Lake County Women's Coalition; Virginia Szatkowski - S-Z-A-T-K-O-W-S-K-I - from Northeastern Illinois Agency of Aging; and Anita Harder, the Illinois Federation of Business and Professional Women; and also, young Sophia Panos and young Brenda {sic} (Bridget) Wenban, those last two being constituents of Senator Fawell. I'd like you to welcome them all here.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests please rise and be recognized by the Illinois Senate? Welcome to Springfield. Senator Palmer, what purpose do you rise?

SENATOR PALMER:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR PALMER:

I'd like to introduce, and have the Senate welcome, Mia Rene

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Hodge, who is a graduate student at the University of Illinois in Springfield, and is here for the Illinois Women in Government, and is spending part of today with me.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guest please rise and be recognized? Welcome to Springfield. Senate Bill -- on the Order of 3rd Reading, Senate Bill 1245. Senator DeAngelis. Senate Bill 1255. Senator Bomke. Senator Bomke. Senate Bill 1256. Senator Bomke. ...Bill 1255. Senator Bomke. Read the bill, Mr. President -- Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1255.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bomke.

SENATOR BOMKE:

Thank you, Senator -- or, Mr. President. This bill is for some twenty-two hundred State employees that have since retired. It will increase their nominal amount of money they get monthly from some two hundred and fifty dollars, on the average, to four hundred and fifty dollars. It would cost us about one hundred and twenty-two thousand dollars. This bill is similar to a bill that was passed last year for downstate's teachers. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Cullerton.

SENATOR CULLERTON:

Senator, with regard to the fiscal impact of this bill, what will the increase in the accrued liability be for the pension

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system?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bomke.

SENATOR BOMKE:

Over fifty years, about twenty-nine million.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

I'm sorry. How many million?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bomke.

SENATOR BOMKE:

Twenty-nine.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

And what will the first-year payout costs be?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bomke.

SENATOR BOMKE:

One hundred and twenty-two thousand.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

No, I think the hundred and twenty-two thousand is how much the State would have to pay in to the pension fund this year. My question was: What is the first-year payout cost? If the accrued liability increases 29.4 million, what is the first-year increase?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bomke.

SENATOR BOMKE:

One hundred and twenty-two thousand.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Yeah. I'm -- maybe I'm not articulating my question properly. What is the benefit cost - the first-year benefit cost? Not -- not the cost to the State. I understand that the State will have to pay an additional hundred and twenty-two thousand. I understand it's not in the budget, so we have to cut from somewhere else to make up for it. My question is: What is the benefit payout in the first year?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bomke.

SENATOR BOMKE:

Senator, I don't know how other to answer it than what the actual cost is.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion?

SENATOR BOMKE:

I'm sorry. Let me -- let me answer. 4.5 million.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Molaro.

SENATOR MOLARO:

Yes, I -- will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield, Senator Molaro.

SENATOR MOLARO:

Thank you. When I had asked earlier about the Pension Laws Commission, the Senator from Palos Park, Senator O'Malley, tells -- tells us that the reason it didn't go through the Pension Laws Commission is because it has no bearing on the State and there's absolutely no impact on the State, because it had to do with the CTU and the Board. This obviously, by your own statement, has an

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impact on the State, so I would like to know what the Pension Laws Commission -- what the recommendation was when you brought this bill before them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bomke.

SENATOR BOMKE:

...not go before the -- the Commission.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Lauzen. Any further discussion? If not, Senator Bomke, to close.

SENATOR BOMKE:

Thank you, Mr. President. You know, I find it ironic when we're talking about State employees who have given their life to the State of Illinois. We talk about how much it'll cost us over fifty years. Most of them won't be alive in fifty years. That's assuming they live. You know, when we build a new road, how often is it asked, "How much is it going to cost to maintain that road for fifty years?" Never is that asked. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1255 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the question -- take the record. On that question, there are 39 Ayes, 3 Nays and 6 voting Present. Senate Bill 1255, having received the required constitutional majority, is declared passed. Senate Bill 1256. Senator Bomke. Senate Bill 1279. Senator Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1279.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President and Members of the Senate. Senate Bill 1279, as amended, would limit the liability of insurance agents in non-fiduciary relationships with their customers. It would retain the language that would govern them when they are in a fiduciary relationship with their consumer. This is an initiative of the independents -- agents association, and it would also add -- adds a provision that no portion of the Section would invalidate the term of a contractual agreement between an insurance agent and a company. I'd be glad to try to answer any questions on Senate Bill 1279, as amended.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1279 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Ayes, 3 Nays and 4 voting Present. And Senate Bill 1279, having received the required constitutional majority, is declared passed. Senate Bill 1288. Senator Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1288.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Members of the Senate. Senate Bill 1288 makes several changes to the Election Code. It deletes provisions which requires election authorities to publicly post a

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list of those who have requested absentee ballots. It allows a voter to cancel or revoke his absentee vote by voting in person at his polling place on election day. It prohibits candidates, unless they are immediate family members, from assisting a voter in marking his ballot. It prohibits anyone other than an immediate family from mailing another -- another person's marked ballot, unless that person is physically incapacitated. It requires the names of all persons who assisted the voter in marking their ballot to be made public. And it, finally, increases the penalty from a Class 4 felony to a Class 3 felony for persons who command, encourage or request another person who is not legally qualified to vote absentee to apply for or cast an absentee ballot. I would be happy to answer any questions on the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hendon.

SENATOR HENDON:

Well, first, I want to commend Senator Walsh, one of the rising young stars of the Senate here, for proposing such good legislation. I wanted to ask him, did he have room for a cosponsor, because I am a recent victim of absentee vote fraud in the City of Chicago. And it is about time that we sent some of these criminals to the penitentiary, where they need to be, because they're stealing votes, stealing elections, stealing -- robbing people of their future with these absentee ballots. And I would like to join you, Senator Walsh. I don't know how Senator Trotter beat me to it, since he's not a victim of absentee ballot

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fraud. But in one precinct alone - and I want everybody to hear this - City of Chicago, for all you Democrats that just love Chicago and think we shouldn't tell the truth - in one precinct alone, the 46th Precinct in the 27th Ward, a hundred and three people voted in the last election for mayor by any means, but, yet, in my last race, a hundred and twenty people voted absentee. Seventy-five of those people who voted absentee, every one of them had their reason: arthritis, arthritis, arthritis, arthritis, arthritis, arthritis, arthritis. And another eighty of them had that they would be out of -- out of town. So everybody on the block made me think they were having a block club convention 'cause everybody was going out of town at the same time. And when I took it to the Chicago Board of Elections, they talked about the gray area of the law. I took it to our esteemed State's Attorney. I'm waiting for him to prosecute. I sent it to our Attorney General. I'm waiting for him to prosecute. But I just want to commend Senator Walsh here, because it is a shame - it is a shame - that the only way that you're going to beat these criminals is start doing phony absentee ballots yourself. It makes absolutely no sense. I just hope that they're not stealing votes in the suburbs like they're stealing them in the City of Chicago. It lies right at the desk of Mayor Daley. He knows all about it. His boys are the ones that are doing it. In fact, they trained some of the African-American vote thieves how to do it. So I commend you, Senator Walsh. It doesn't go far enough. We should give them ten years in the penitentiary, because they're robbing this process. And if they'll steal and cheat and lie to get in this Body, guess what they're going to do once they get here? Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Trotter.

SENATOR TROTTER:

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Thank you very much. As - Mr. President - as usual, my colleague says mostly everything you want to say and some things you don't want to hear. But -- but in this case here, Senator Hendon, we have imposed some more -- some more punitive issues here, and some more punitive -- by making this a Class 3 felony. It's two to five years, ten-thousand-dollar fine. And this is also being consistent with those who commit perjury. So we -- we have, again, enhanced the penalties for those who do commit fraud so that we can address those problems that you've just mentioned in your district. It is a great bill. Thank you, Senator Walsh, but more than thanking Senator Walsh, thank Senator Klemm who isn't here with us today, who was the original sponsor of this bill, for working with me in the committee and getting it out of committee and getting it to the Floor. We wish that we could have made it even a little bit stronger. We wish we could have actually thrown motor-voter on here, which didn't get out of Rules Committee, but we are happy with what we have. And I advise and wish everyone to vote Aye, with me, on this legislation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Just for legislative intent. I happen to have a number of salesmen in my district who do happen to vote absentee because they truly think they're going to be out on the road and then find that they are not. This, in no way, impedes the fact that they can vote absentee in the anticipation they would be out on the road. Am I right?

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Walsh.

SENATOR WALSH:

Yes. It -- it would not affect them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.  
Just a inquiry of the sponsor, if he would.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield, Senator Jacobs.

SENATOR JACOBS:

Whenever one -- when you talk about the application, are you talking about someone who has received the application but has not yet voted absentee, or are you saying someone who has already cast his vote, or her vote, in absentia can then say, "I want to cancel that, check it when it comes back, and I'm going to go to the polls and vote"? Is that what you're -- you're, in effect, saying?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

Could -- I'm sorry, Senator. Could you -- the bill has become very, very popular and I can't sign fast enough to get everybody on here. Could you repeat the question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

I understand that "arthritis" and the "king maker" were over, trying to get on your bill, and that's all fine and dandy. But the -- the issue -- the only question that I have - and I need a clarification: Are we talking about people who have just taken out an application to vote absentee or people who have actually

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cast their vote in absentia and then comes forward and says, "Whoops, I want to cancel that; I want to come back and vote on election day"? Is that what you're talking about, or are you just talking about those who have applied for and then said, "No, no, wait up; I'm not going to be out of town"? What are we talking about here?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

It would actually be the people that voted absentee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

And I understand that in some areas they may have a little problem with voting fraud. I'm not sure if that's really the case, but let's assume that it is. In our county, I don't think we have that. I -- I just have a little problem with that. When I go in and vote on election day and I go cast my vote, I can't go home and then say, "Oh, my God, wait up; maybe I voted wrong or maybe I want to change my vote", and go back and vote again. But, yet, you're giving these people the opportunity to, quote, unquote, "change their mind", or, for whatever reason, come back and vote a second time around. I -- I don't have a lot of qualms with that, 'cause maybe that could lead to more fraud and we can have more arthritis or whatever it is up there and then make that work. But I just needed a clarification on that. It just seems to me a little redundant whenever we do allow someone to vote once and then say, "Whoops, I'm not going to be out of town; I'm going to be in town; now I want to go vote in person". That seems to -- to me to be actually even more of a problem than just allowing the absentee ballot to stand.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Any further discussion? Senator Carroll.

SENATOR CARROLL:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Carroll.

SENATOR CARROLL:

Thank you. There have been groups in the past that have done mass mailings, some public interest groups - and some candidates, but often public interest groups - who have done mass mailings in primaries and general elections. I think Governor Edgar did it last time, where it said, you know, "In case you're not going to be in town, here's an application for an absentee ballot", or "Here's the pre-application for an absentee ballot". Would that be illegal? Excuse me.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

Yes, it would be.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Carroll.

SENATOR CARROLL:

So just to be sure: that even a -- a piece of literature that Senator Walsh may send out that says, you know, "Vote for me, and by the way, if you're out of town, ask for an absentee", that would be illegal?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

What -- what we're trying to do here is -- is discourage people from trying to encourage someone from applying for an absentee ballot when they are, indeed, not eligible to vote in the election.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Carroll.

SENATOR CARROLL:

I guess my question is, really: How do you determine that early? I mean, if Governor Edgar, in his campaign, had sent out this mailing to everyone saying, "By the way, if there's some reason you don't think you can vote election day, please file for an absentee", is that illegal at the time, or is it illegal if they happen to be healthy and able to go in and vote that day, on election day, as opposed to two weeks before when they send in the application?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh. Senator Carroll.

SENATOR CARROLL:

I don't think you're saying in that mailing that, "Hey, do an illegal act", but it's merely saying -- and I'm -- I -- just so that we know what's in here, it -- what -- if -- my recall is, the campaign - it may have been the Bush campaign, but I think it was the Edgar campaign - said, you know, "In case there's inclement weather or whatever, why don't you think about voting absentee", and they sent out couple million of those. Is that illegal?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch -- Walsh.

SENATOR WALSH:

If you are asking for a absentee ballot -- I mean, they can mail the absentee ballot and they point out, I'm sure, in the letter in which they send that, that for the following reasons, you may need an absentee ballot; if -- for those reasons - if you're going to be out of town, if you're sick - please fill out the absentee ballot. And you can get it for X, Y and Z reasons, but for any other reason, you certainly could not vote with an

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absentee ballot.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Walsh, you've -- this bill says it's a Class 3 felony on any person who solicits -- solicits another person to illegally vote. Is that -- is that still in the bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Would it be illegal for somebody to -- to encourage somebody to vote absentee in case they were sick, and then it turns out they weren't sick on election day? Would that be illegally soliciting them to vote?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

I wouldn't think so.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Is there any country in the world that imposes a felony upon somebody who tries to get somebody else to vote - any country, not State, in the world?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

I'm -- I'm -- I'm not aware. I think what we're talking about here, Senator, though, is when you're trying to get somebody who is not eligible to vote to take an absentee ballot and, indeed, cast an absentee ballot illegally.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Well, but there are a lot of reasons for voting absentee. If you think you're going to be out of the precinct or town on election day, people are encouraged to vote absentee. What if the person votes absentee and then still ends up in the precinct? The person who asked him to vote absentee, then, has solicited somebody to vote absentee, but, yet, that person, if they're found in the precinct, could -- the person who solicits them could be charged with soliciting an illegal absentee ballot. Is that -- isn't that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

You can still solicit an absentee ballot application, and I think, in Senator Carroll's instance where they send them out to several different people, that is soliciting an absentee ballot. You are not forcing somebody to get an absentee ballot. You should point out when you're asking them if they want to use an absentee ballot that "Here are the -- the reasons that you may want to vote absentee", and go through the list of if -- if you're sick, if you are out of town, or whatever the case may be. But this isn't forcing someone to use an absentee ballot; this is just making it available to them if for legitimate, legal reasons, they

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would not be able to get to their polling place on election day.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Molaro.

SENATOR MOLARO:

Just quickly, if the sponsor would yield. In -- thank you, Mr. President, by the way. Very nice of you to call on me.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield.

SENATOR MOLARO:

Section 7 -- or, number 7 of our analysis states that, shall make the list of absentee applications available for inspection, and says, shall be posted in a public place by -- place by the election authority. What's the law now? Are there lists, and can the public get them?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

It -- it -- right now, the current law is, beginning forty days prior to the day of election, there is a -- posting.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

SENATOR MOLARO:

What -- all right. It's forty days before an election the list -- well, what are we changing? What is this bill changing it to? In other words, you can get a list, and now it's going to be a shorter period of time, or is the list going to be posted somewhere?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

We're just not going to be making the number available and -- and we're not going to be making public. It will be -- the --

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open for public inspection to the State Board of Elections, the Attorney General and the State's attorney.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hendon, for a second time.

SENATOR HENDON:

Thank you, Mr. President. This is one time I'm not going to apologize for rising a second time. I don't know why people are digging into Senator Walsh about this when it is such a -- a blaring disrespect for -- election law. These people are out there just flat-out criminals. And what I did, I sent down to my secretary for this pile, and I just want to read to you in the record: 1059 North Avers - reason why you're taking absentee: I expect to be out of town. 1016 North Monticello: expect to be out of town. 1022 North Lawndale: expect to be out of town. 1022 North Lawndale: expect to be out of town. 1036 North Hamlin: expect to be out of town. This is -- is -- vote fraud, period. Period. It's criminal. They should go to jail fifty damn years, let alone five years. It's criminal. Anybody that votes against this, then, clearly, you're for criminal activity. It should be all -- everybody up there should vote Yes if you're for fair and honest elections. If you're not, go ahead and vote No, and then we'll know where you stand.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Farley.

SENATOR FARLEY:

Question for the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Farley.

SENATOR FARLEY:

Yes. Senator, under what our previous speaker just pointed out, who would be responsible for that action? If -- if I were a

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-- a campaign worker for a particular candidate and I was working in an area, and I -- I solicited or secured these absentee ballots, for whatever reason these people told me - "going out of town" - and that was, in fact, not the case, that they were -- they were in town and they went to work that day and so on and so forth, who -- what penalty would I be under? Would I be under a penalty? Would I be guilty of something?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

If it was fraudulent, it would be the person who solicited you to vote for a -- to vote absentee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Farley.

SENATOR FARLEY:

Well, would that be fraudulent then? I mean, am I committing a crime then if I'm soliciting and securing these -- these applications, and then these people go to work? Who -- who determines whether that's fraudulent? The Attorney General, the Board of Elections, the State's attorney? Who -- who can come after me, for starters? Who can come after me?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR WALSH:

I think if -- if -- Senator, I think if you -- you know, if you showed up to work after you voted absentee because maybe you -- your plans were cancelled - is that what you're saying? Your plans are cancelled and you ended up being able to vote, or you ended up voting absentee and you weren't out of town? Then that isn't fraudulent. You didn't break the law. What we're talking about is somebody who is purposefully trying to circumvent the law to get somebody to vote absentee for all the wrong reasons. They

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are soliciting people's votes with an absentee ballot to get them to vote for a candidate when they know they're doing it for illegal reasons. And, yes, it would be the State's attorney who would be the person who would come and -- and have to press charges.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Walsh, to close.

SENATOR WALSH:

Well, I think we've had a lively debate. And, Senator Hendon, I'm certainly glad that you and I have turned the corner, and I'm -- I -- I appreciate your support. And I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1288 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 1 Nay and none voting Present. And Senate Bill 1288, having received the required constitutional majority, is declared passed. For the information of the Membership, we have just gone through our sixth bill in the last fifty-two minutes. On the bottom of page 3, Senate Bill -- 3rd Reading. Senate Bill 1313. Senator O'Malley. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1313.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President. Senate Bill 1313, as amended, is related to House Bill 1465 from last year. That bill made changes

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to the property tax system, both in terms of assessment practices and tax objections. Since passage, there have been some technical concerns raised, which are addressed in this particular legislation. First of all, House Bill 1465 allowed affected taxing bodies in Cook County to appeal assessments. Language needs to be added to -- to state that these taxing bodies may only appeal assessments while the township books applicable to the affected parcel are still open. House Bill 1465 allowed access to the State's Property Tax Appeal Board for Cook County beginning with the 1996 assessments for residential -- parcels and with the 1997 assessments for all other parcels. A technical correction needs to be made to add references to the Board of Appeals so that access is not delayed until the 1998 election. The second part of the legislation permits Cook County to send two estimated tax bills and a final actual bill only when the treasurer is unable to calculate the second installment on time. "On time" means by June 30th, 1996. This is to express a concern raised in a letter received from the Cook County Treasurer as to the ability to get tax bills out on time due to possible delays in the closing of the tax year caused by some of the changes in House Bill 1465. Incidentally, this particular -- the amendment to this bill only applies -- says that this particular permission to issue two estimated bills and a final bill applies only to 1995 taxes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Palmer.

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Palmer.

SENATOR PALMER:

Senator O'Malley, I understand that we still have not trained the PTAB staff yet to be able to handle the two distinct systems.

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Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

I'm not aware that that is the case. I do know that we have provided the funding to do so, Senator Palmer, and it's my understanding that the training will be in place in time for implementing House Bill 1465 and access to PTAB for Cook County residents.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Palmer.

SENATOR PALMER:

It's my understanding that the funding has been asked for, but it has not necessarily been received. And another concern that I had: Is there a backlog already with PTAB, as far as the cases that they are handling?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Again, Senator, I am glad you clarified that the -- the money that's allocated is in the budget that was submitted by the Governor. I'm not aware of whether or not there is a backlog; however, I am aware that the proposed budget allocation will be sufficient to deal not only with downstate, but also with the addition of Cook County.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Palmer.

SENATOR PALMER:

Just one last question: Why are we doing this now, before the two systems are ready to interact appropriately with each other, and effectively?

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator O'Malley.

SENATOR O'MALLEY:

Senator Palmer, as I mentioned in my opening comments, the purpose of this legislation is -- is to deal with the possibility that, in Cook County, it may be impossible, for whatever reason -- and we don't know whatever that reason may be. We know that last year tax bills got out late. It's possible it could happen again in 1995. We're not requiring the treasurer to do anything by this legislation. We're just simply saying that they may, if he feels it's appropriate to issue two estimated bills and a final bill for Cook County for 1995 only. The other part of the legislation deals with the fact that a portion of 1465 that was in litigation, and remains in litigation, -- or, anticipated that the -- the Board of Review would go into effect in Cook County sooner than it is. Because that is in litigation, what we're attempting to do is clarify those provisions of the law in 1465 that simply refer to the Board of Review and substitute for that, for -- at least for the interim period, the Board of Tax Appeals, which will continue sitting until the litigation is cleared up.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Palmer.

SENATOR PALMER:

Just one last thing. Before I began hammering away at you on this bill, just to say welcome back, good to see you and good health again.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator O'Malley, to close.

SENATOR O'MALLEY:

I just appreciate a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Question is, shall Senate Bill 1313 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open.

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 19 Nays, none voting Present. And Senate Bill 1313, having received the required constitutional majority, is declared passed. Senator Berman, for what purpose do you rise?

SENATOR BERMAN:

I would ask for -- I would ask for a verification of the previous roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

That request is in order. Senator Berman has requested a verification. Will all Senators be in their seats. The Secretary will read the affirmative votes.

ACTING SECRETARY HAWKER:

The following Members voted in the affirmative: Bomke, Burzynski, Butler, Cronin, DeAngelis, Dillard, Donahue, Dudycz, Dunn, Fawell, Fitzgerald, Geo-Karis, Hawkinson, Karpel, Lauzen, Luechtefeld, Madigan, Mahar, Maitland, O'Malley, Parker, Peterson, Petka, Raica, Rauschenberger, Sieben, Syverson, Walsh, Watson, Weaver, Woodyard and Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Does Senator Berman question the presence of any Member voting in the affirmative?

SENATOR BERMAN:

Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis is standing next to the Chair.

SENATOR BERMAN:

Senator Fawell.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell is in the Chamber.

SENATOR BERMAN:

Senator Dunn.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dunn? Senator Dunn in the Chamber? Strike his name. Senator Berman question the presence of any other Member voting in the affirmative?

SENATOR BERMAN:

Senator... That's it. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

On a verified roll call, the Ayes are 31, the Nays are 19, and none voting Present. And Senate Bill 1313, having received the required constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR DeANGELIS)

On the Order of 3rd Readings is Senate Bill 1320. Senator Maitland. Read -- read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1320.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 1320 does just what the synopsis says. It amends the Code of Criminal Procedure to permit, in all counties except Cook, a judge to enter judgement against the cash deposit of a bond and apply the proceeds, less the court costs, to any other authorized use. It also provides that bond can be applied to child support or maintenance. The bill passed out of committee on the Agreed Bill List. I know of no opposition. I would appreciate your support.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The question is, shall Senate Bill 1320 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, none voting Nay, none voting Present. And Senate Bill 1320, having received the required constitutional majority, is declared passed. On the Order of 3rd Reading is Senate Bill 1335. Senator Peterson? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1335.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President and Members of the Senate. Senate Bill 1335, as amended, would exempt from competitive bid requirements the following: purchases and contracts for the use, purchase, delivery, movement, or installation of data processing, telecommunications, interconnection, and duplicating software and related services. In addition, it would be goods or services purchased through the State or federal purchasing systems. I know of no opposition. This is supported by the urban county councils, and I ask for your affirmative vote on 1335.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Trotter.

SENATOR TROTTER:

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says he will yield.

SENATOR TROTTER:

Thank you. Senator Peterson, Senate Bill 1335, didn't you say that you were going to use this for some other purposes?

PRESIDING OFFICER: (SENATOR DeANGELIS)

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Senator Peterson.

SENATOR PETERSON:

No, I didn't.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Trotter.

SENATOR TROTTER:

Okay. I just thought I recalled that in committee, that you were -- were not going to run the bill as is and you had some other purposes, which is why I voted for it, and now I see it's exactly as it was.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Peterson.

SENATOR PETERSON:

At that time, there was a possibility that we would add another amendment, but that amendment didn't come forward, so we're going with the bill with the one amendment.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Trotter.

SENATOR TROTTER:

Okay. One of the problems that I had with it in committee was that -- or at least I thought, it would exempt competitive bidding -- bidding. Is that correct?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Peterson.

SENATOR PETERSON:

For software related to those following -- the criteria that I mentioned. Software is a very tailored type of use for computers, and certain software works better in particular situations. So we're giving the options of counties - could be recorder of deeds or the county clerk - to get that software without going through competitive bid, because it's pretty hard to make the specs for that particular type of software.

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PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says he will yield.

SENATOR WELCH:

According to our analysis, the bill exempts -- includes goods or services purchased through the State or federal purchasing systems, and they're exempt from county competitive bidding procedures. Is that in addition to the computer software?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Peterson.

SENATOR PETERSON:

Yes, that's already the case. They are purchasing from the State, but they would like to clarify it. This is just a clarifying language that -- where already counties are purchasing through the State, and there was no particular Statute giving that authority, and they felt that they would -- should have it in there.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor said he will yield.

SENATOR LAUZEN:

Will this lead to more competition or less competition?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Peterson.

SENATOR PETERSON:

Currently, from what I understand, you can get a better price

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on, say, vehicles for the sheriff's department through the State purchasing system than they can go out on bid. So they save more money purchasing through the State, because the State bids out so many of the squad cars for the State Police, and you get access to that same bid if you're a local police department. And from what I understand, those prices are better than what a lot of them can get at the local level.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Are those -- is that what -- I thought that it was software equipment. Is transportation equipment one of those?

PRESIDING OFFICER: (SENATOR DeANGELIS)

...Peterson.

SENATOR PETERSON:

Software was the first part that I read. The other part is to clarify that other goods and services can be purchased through the State or federal purchasing systems, where they bid the materials out. So, you don't have to have another bid, because you're -- the State's already done that.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any further discussion? Senator Shadid.

SENATOR SHADID:

Yes. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says he will.

SENATOR SHADID:

I think you mentioned, Senator, that on the State-bid stuff, they don't have to go through bids if they buy it through the State or federal purchasing. But...

PRESIDING OFFICER: (SENATOR DeANGELIS)

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Senator Peterson.

SENATOR PETERSON:

That's my understanding, that they can buy directly from the State without bidding it at the local level, because the State's already bid out for a certain specification, say for State Police squad cars.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Shadid.

SENATOR SHADID:

Aren't we expanding that now to allow them to buy other things without going out for bids?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Peterson.

SENATOR PETERSON:

It's my understanding that they're already doing many things. The State puts out a catalog of the things that they bid on. Units of local government, like the county, can take advantage of those prices. They don't have to, but they have that advantage. This is already being done. They would like to clarify this through this amendment.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Shadid.

SENATOR SHADID:

Then this does not -- this does not allow them to go out for -- to buy things unless they go through either the State or the federal. Is that correct?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Peterson.

SENATOR PETERSON:

They have the option. If they can get a better price locally, they can bid out locally. If they could take -- they could bid out locally and then match it with the price from the State. If

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they get a better deal locally, they'd take the local bid.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Shadid.

SENATOR SHADID:

In other words, so I get this correct, if I look at the State prices on a particular item, and the same item I can buy cheaper from somewhere else, I can do that. Now, if it's not cheaper, then I have to buy through the State bid. Is that correct?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Peterson.

SENATOR PETERSON:

That's your option. You're not forced to. You have to explain why you didn't take the low bid, but that -- that's already bid out through the State. Most of the time, from what I gather, local dealers won't even bid if you're going to get the purchase through the State, because they can't compete with it. They won't even bid on it, in many cases.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Shadid.

SENATOR SHADID:

But what we're doing then is allowing them to compare. Even though the other bid is higher than the State's price, they can still buy that.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Peterson.

SENATOR PETERSON:

You can do that under law now when you bid it out. You don't have to take the lowest bid. You have to state reasons why you don't take the lowest bid, but you're not forced to take the lowest bid.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any further discussion? If not, Senator Peterson, to close.

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SENATOR PETERSON:

Well, I think this legislation has thoroughly been discussed, and I would ask for an affirmative vote on Senate Bill 1335, as amended.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The question is, shall Senate Bill 1335 pass. Those in favor will vote Aye. The opposed, vote Nay. And the voting is now open. Have all voted who wish? Last call. Take the record. On that question, there are 25 Yeas, 28 Nays, none voting Present. Senate Bill 1335, having not received the required constitutional majority, is declared failed. For what reason does Senator Peterson seek recognition?

SENATOR PETERSON:

Mr. President, Postponed Consideration.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Thank you. Postponed Consideration. On the Order of 3rd Reading is Senate Bill 1338. Senator Weaver. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1338.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. 1338 is a shell bill on riverboat fees, and also we're hoping that we can work out an arrangement or a consensus with the House on how much to raise the fees, what authority to give the Gaming Board. And it will be back before us, hopefully with something we can all support. Be glad to answer

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any questions.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The question is, shall Senate Bill 1338 pass. Those in favor will vote Aye. The opposed will vote Nay. And the voting is open. Have all voted who wish? Have all -- have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 21 Ayes, 27 Nays, 3 voting Present. Senate Bill 1338, having failed to receive the required constitutional majority, is declared failed. For what reason does Senator Molaro seek recognition?

SENATOR MOLARO:

Well, it's -- it's a question on procedure.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Yes.

SENATOR MOLARO:

The last -- last two bills, I think you asked, "Have you all voted who wish" four, five or six times. Just so I know how much time I have before I'm able to vote, are we going to ask three, four, five, six, seven times? Just so I know when I can press my button.

PRESIDING OFFICER: (SENATOR DeANGELIS)

I -- I have varying rhythm. On the Order of 3rd Reading is Senate Bill 1380. Senator Philip. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1380.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Philip.

SENATOR PHILIP:

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

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Senate. Senate Bill 1380 amends the Civil Administration {sic} Code, making a technical change. Quite frankly, it's a vehicle bill. If we can get some kind of an agreement out of the Second Floor on reorganization of the human services, this may be the vehicle.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The question is, shall Senate Bill 1380 pass. Those in favor will vote Aye. The opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 Ayes, 15 voting Nay, none voting Present. Senate Bill 1380, having received the required constitutional majority, is declared passed. Senator Philip.

SENATOR PHILIP:

Mr. -- thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like to make an announcement. We're going to conclude business now. I think the Appropriation Committee is going to meet directly after we walk out of this Chamber. And we're going to come in at 9 a.m. in the morning. Please be on time. As you know, tomorrow is the last day for Senate bills in the Senate. Intend to run through the Calendar as many times as we can, and the sooner we get out of here, the sooner we'll get -- get going for a Easter vacation.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Is there -- is there any further business to come before the Senate? If not, the Senate stands... Resolution.

ACTING SECRETARY HAWKER:

Senate Joint Resolution, Constitutional Amendment, No. 86, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Is there any further business to come before the Senate? If not, Senator Karpziel moves the Senate stands adjourned until

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